



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

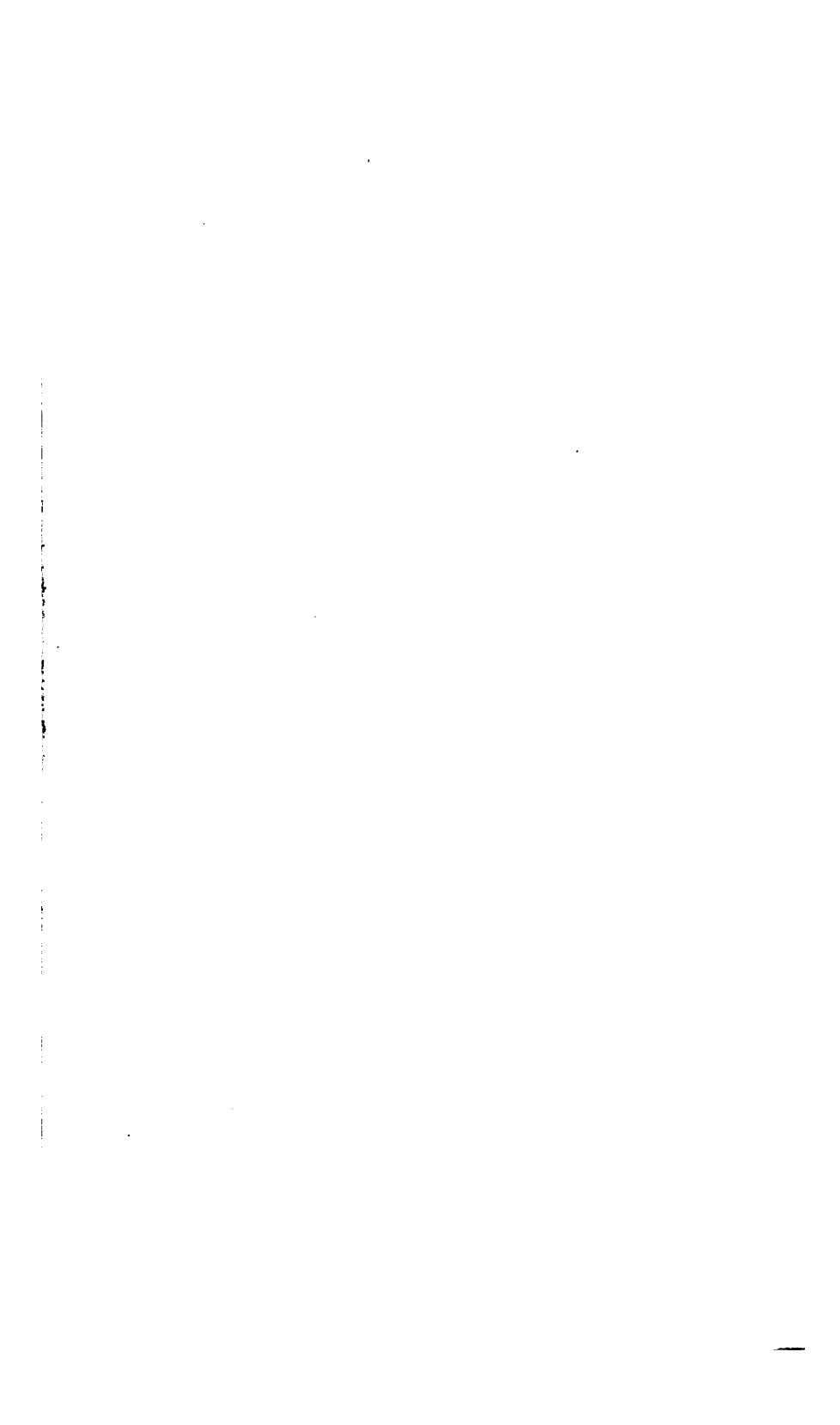
Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



M^{rs} Guinness
Penline Castle.

Whitaker

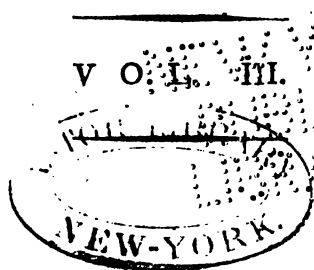
CPE



M A R Y
QUEEN OF SCOTS
VINDICATED.

By JOHN WHITAKER, B. D.
AUTHOR OF THE HISTORY OF MANCHESTER;
AND
RECTOR OF RUAN-LANYHORNE, CORNWALL.

IN THREE VOLUMES.



L O N D O N :

PRINTED FOR J. MURRAY, N° 32, FLEET-STREET;
AND W. CREECH, EDINBURGH.

1788.

NOV 1954
2107
10000

M A R Y
QUEEN OF SCOTS
VINDICATED.

CHAPTER THE FIRST.

I HAVE now gone over the letters. It has been a tiresome employ to read, to transcribe, and to comment upon; such a mass of impertinence and dulness. But it has answered an useful purpose, I trust. The letters have never been examined with so much strictness before. A regular survey of them was much wanted. Great mistakes had been made; concerning their meaning and their language. These it was requisite to tear away, as the showy pilasters of the old fabrick of forgery; after I had thrown down all the supporting pillars of it. And I wish to observe at the beginning

of the present volume, that FORGERY seems to have been sadly frequent, in the violent clashing of politics at this period.

The human heart indeed appears to have particularly rankled, at this season, into sins of malignity. Papists and Protestants shared equally in the baleful spirit. But FORGERY, I blush for the honour of Protestantism while I write it, seems to have been peculiar to the Reformed. I shall recite some strong facts of this nature. They are dreadful proofs of the profligacy of the times. But I shall confine myself to the period and the actors in them, with which we are already conversant. And I look in vain for one of these accursed outrages of imposition, among the disciples of Popery.

When Murray had forced the Queen to call in the assistance of her Popish subjects, in order to free her from the power and dominion of that prince of Protestants, "she having but, as it were, the name and calling," and "he bearing the very sway of the "regiment *," when in that private kind of commission, to which her son was so frequently obliged to apply in opposition to his public authority,

* Anderson, i. Defence, 60. The loyal nobles of Scotland say, that Murray then "causit the Quene's majestie become hiswa subject into his, as his Grace had bene aue pupil" (Goodall, ii. 257-258). Camden also says, that "the Queen herself he held in his power as a tutor doth his pupil" (Trans. 90, and Orig. 112). And Randolph, in a letter so early as November 11th, 1561, calls him expressly "the commander of the Queen" (Keith, 202). See likewise another letter, November 18, 1562, Keith, 239; another, November 23, 1564, Keith, 265; and Buchanan, Hist. xviii. 320.

she had directed the Earl of Huntly to come and rescue her; and when Murray had erected the Queen's standard against her very friends, had fought them at Corrichie on October 28, 1562, had defeated them, had killed him, and was now proceeding to the final act of vengeance against all in a general attainder: treasonable letters were forged in the name of the Earl of Sutherland, were pretended to be found in the pocket of the slain Huntly, and were made the ground of extending the attainder to Sutherland himself*. A younger son of Huntly's was immediately beheaded. The eldest, he who appeared so strenuously for Mary afterwards, was condemned to the same fate. But Mary neglected to sign a warrant for his execution. Upon that account some of her ministers, and (as even bigotry must suppose) one of them at the instigation of Murray himself, either forged a warrant for her, or induced her to

* Goodall, i. 197. Concerning this temporary kind of civil war, the representations of our historians are even more than commonly opposite. The friends of Huntly affirm all that he did, to be by authority from the Queen (Keith, 229). The enemies of Huntly assert it to have resulted from his ambitious views for himself, and his hatred of Murray (Buchanan, Hist. xvii. 338). But it is very remarkable, that, whatever Buchanan may say in his History, in another work, much nearer to the time, he takes part against himself and the enemies of Huntly, and agrees with his friends: "The Queen," he says in 1570, "be avyis of hir oncles, *desyris to destroy the Erll of Murray*:—sche than being deliberat to destroy him *be the Erll of Huntlie*, went to the north, and he," Murray, "in *hir company*" (Chambrlain, 14. vol. ii. Riddiman). And this addition of authority turns the scale fully, in favour of Huntly.

sign one unknown to herself. In either view, the criminality is the same. But the warrant, no doubt, was actually forged. The letters of Sutherland before, and the letters of Mary afterwards, concur to fix the faith of scepticism itself upon the point. And Huntly would have been executed immediately, if the officer, to whom the warrant was addressed, had not suspected an imposition in it. The hand of Mary, in all probability, had been ill imitated by the forger. We know that it was so in the letters to Bothwell. The officer therefore rode away in a great hurry to the Queen. He reached the palace late at night. The Queen was gone to bed. Yet he urged to be admitted into her presence. The Queen ordered him into her bed-room. There he announced to her the pretended execution of her command. She denied she had given any. He produced the warrant, in vindication of what he had *not* done. She was much affected at the sight of it. She saw the villainous hands, to which she had committed herself. She sighed over the fate of the young nobleman, whom she supposed to have fallen a sacrifice to their forgery. But he relieved her by a confession, that the Earl was still alive. And then, with a particularity which shews very significantly *her own* opinion of the forgers about her, she commanded him to execute no WRITTEN warrant whatever upon my lord, and to take no order for either his death or his removal, except from her very LIPS*.

With

* Crawford's Lives of Officers of State, 91, on the authority of Gordon of Straloch, "who tells us he had it from his
" father

With such flagitious men was Mary encircled at this period, when Murray was her prime minister, and Morton and Lethington were subordinates to him! The subordinates accordingly practised the frauds of their principal, when he himself was absent. They even presumed to practise them, against Mary herself. They even had that confidence in the dexterity of their own villainy, as to practise them in a *letter*. They produced a letter as of Mary's writing to Bothwell, on the 15th of June 1567; the very evening of the day on which she had voluntarily deserted him, and gone over to them. And they shewed it to Kirkaldy of Grange, one of their chiefs, who had some remains of honour about him; as their reason for ordering her away, the next day, to a prison. This they pretended to have been betrayed to them, as it was going to Bothwell. But they ventured not to produce, or even to specify, the person by whom it was betrayed. They did not even mention the hour, they did not even point out the place, at which it was brought to them. They had to do with a chief however, who was not sagacious enough to enquire after these circumstances. He had no idea of their diabolical reach of wickedness. He read

“ father the Laird of Pitlurg, who lived *at the time*, and was “ the earl's great confident and trustee.” Guthry, in his *Scotch History*, vii. 296—297, has attempted to discredit this story, as founded on tradition. But the attempt is wild. If a story so authenticated is to be rejected, half the history of mankind must be rejected with it. And it is confirmed by a couple of *contemporary* writers, Jebb, i. 501, and ii. 242.

the letter. He thought it genuine. He gave up the Queen. He honestly apprized her of it, and of his reason for so doing. And she was overwhelmed with sorrow, at the discovery of such an impudent act of iniquity against her *.

Dr. Robertson indeed, with that steady attachment to the cause of rebellion, which is continually affronting his good understanding, and continually ensnaring his natural candour, supposes the letter to be genuine. In the characteristic simplicity of the rough warrior, he believes what the leaders assert, without any enquiry into the improbable incident. With a credulity, which even Kirkaldy would have been ashamed to shew, he builds history upon the writing; when even the rebels themselves (as I shall soon prove) have long rejected the writing for apochryphal, and have therefore not inserted it in their canon. Yet he is plainly *suspicious* of its authority, even while he founds his history upon it. For that reason *he does not mention it*. He merely *alludes* to it. He durst not mention, because he could not authenticate. But he chose to believe. And without any intimation concerning the letter, though with a pointed reference to it, he says that "Mary's affection for Bothwell continued as violent as ever," and that "she determined not to abandon a man, for whose love she had already sacrificed so much. Melvill, 167 †." So clearly does the Doctor, by his studied *manner*, convict himself of a half-known prevarication in his *matter*!

* Melvill, 84.

† i. 434.

Mr. Hume however acts with more honesty and more judgment. "It is pretended," he says*, "that she—even wrote Bothwell a letter, which the lords intercepted; where she declared, that she would endure any extremity, nay, resign her dignity and power, rather than relinquish his affections, Melvill, p. 84." Melvill's account indeed is here overcharged by Mr. Hume. It says merely thus: "that same night IT WAS ALLEGED, that her Majesty did write a letter unto the Earl of Bothwell;—calling him her dear heart, whom she should never forget nor abandon, though she was necessitated to be absent from him for a time; saying that she had sent him away only for his safety, willing him to be comforted, and to be upon his guard." According to Melvill, the letter promised "never to forget nor abandon" Bothwell; according to Mr. Hume it declared, "that she would endure any extremity, nay, resign her dignity and power, rather than relinquish his affections." So much is the gold of Melvill beaten out and expanded, under the mallet of Mr. Hume! But the latter very honourably refers to his authority with all the dubiousness, which that authority uses in reciting the story; while Dr. Robertson appeals to it for a *fact*, which is only mentioned as an *allegation*. And Mr. Hume even subjoins in a note, that "the reality of this letter appears somewhat disputable, chiefly because Murray and his associates never mentioned it, in their

* v. 122.

VINDICATION OF

“accusation of her before Queen Elizabeth’s commissioners.” So strongly did the light of truth flash upon one of Mr. Hume’s eyes, even under the bandage which his prejudices had tied over both; that he could not but question the authenticity of the letter. Dr. Robertson also had plainly a glimpse of the same light. And he closed his eyes, on perceiving it.

This letter is apparently one of the many forgeries, that these worst of all rebels practised upon Mary. It was the *first* of the rebel letters. It was the PROTOTYPE to all the letters from Mary to Bothwell. Morton and Lethington had been completely successful, in their *first* attempt to impose a fictitious letter of Mary’s to Bothwell, upon their own partisans. This, no doubt, encouraged them to make the grand attempt afterwards. Yet, what is very remarkable, the present letter was so badly fabricated, being the creation of a moment, calculated only for an unthinking warrior, and a first effort in this serious and superior kind of forgery; that Lethington and Morton WERE ASHAMED TO PRODUCE IT AFTERWARDS. Though it ought to have stood in the very *front* of all the letters to Bothwell; though it was peculiarly wanted there, to shade that horrible perfidy which it was created to cover; yet it never appeared any more. Before the English ambassador, before the Scotch council, before the Scotch parliament, and before the English commissioners at York and at Westminster, when so many slanders were uttered, and so many letters

letters produced; THIS letter of slander was always kept back. And from the moment it was shewn to Kirkaldy, even down to this *instant now*, it has never been seen, it has never been heard of, once. This is certainly a full confession of its spuriousness. It is the fullest, that *could* be given by *such* men concerning *such* a writing. And the rebels stand self-convicted of this leading and initial forgery*.

We have even another, very nearly of the same kind and in the same circumstances. It is so nearly the same, that it has been hitherto mistaken for it. For this reason, it has never been noticed by any of our writers. Yet it is actually different. It is mentioned in one of Throgmorton's dispatches. "Of late," he says in his very important dispatch of July the 18th, "this Queen hath written a letter to the captain of the said castle," Dunbar, "which hath been surprized; and thereby matter is discovered, which maketh little to the Queen's advantage †." The former letter was addressed to Bothwell; and the latter to the captain of Dunbar castle, at a time when Bothwell had been now gone from Dunbar many days, and when in this very dispatch it is said, that "Bothwell doth *still* remain in the north parts." The former too was written and intercepted on the 15th of June: but the latter

* The rebels refuted their own tale of the letter *at the very time*, by not mentioning it in their dispatches to Cecil, and by mentioning another slander in the room of it. "She," says Cecil of the Queen on June 26th, "*flatly denied to grant justice against Bothwell, so as they have restrained her in Lochleven*" (Cabala, 1st part, 128). † Robertson, ii. 378.

is said on the 18th of July, to have been intercepted and written "of late;" since the 9th of July, when Bothwell's departure was announced to the public by a proclamation*; and only a few days before the 18th. The captain of the castle was the Laird of Whitelaw†. And what could Mary have to write to him? Yet she did write, say the rebels, and they intercepted what she wrote. But when did they intercept it? They choose not to tell us even this circumstance, with particularity. They only say, that it was "of late." So little were they willing to be tied down to time! They will tell us, however, with the greatest particularity, WHERE, and ON WHOM, and BY WHOM, they stopped the letter. They tell us all this concerning the forged sight. Yet they are too cautious, even to tell this concerning the pretence! With so much more apparent tokens of forgery, have they given this letter to us! But by this, it seems, "matter was discovered, which made little to the Queen's advantage." The rebels, therefore, will certainly produce it against her. They will add one more to the many evidences against Mary, which the selfishness of her love, and the vigilance of their guards, have thrown into their hands. They will exhibit it with the rest, to the commissioners in England. They will publish it with the rest, for the perusal of all the world. Yet they do not. They never

* V. i. ch. iv. sect. ii. † Cecil in Cabala, part 1st, 131, says he was the Lord Waughton. But this is a mistake. He was "Patrick Whytlaw of yat ilk" (Anderson, i. 148—149), commonly called "the Laird of Whitelaw," Crawford, 56.

published it. They never exhibit it. And the whole history of its existence, is contained in the few lines before. We know only, that it was mentioned to Throgmorton. It was never shewn to him. It was never shewn to any. In this respect it differs from the preceding letter. That appeared, and was seen. This was just spoken of; spoken of in a manner too, sufficient of itself to disclose the forgery; and then disappeared, as a forgery, for ever. The first Lord Shaftesbury, that LETHINGTON of a later age, used to say; that a political falsehood, which could keep up its credit for a day only, was an useful implement in the hands of a manager. The rebels, as well as he, acted upon this principle. The present letter is one of their political EPHEMERÆ. The preceding one is another. We shall see others as we proceed. And the artificers of these falsehoods *now* find themselves, as they deserve to be, beat down and overwhelmed by these; their temporary artifices of lying.

In the second confession of Paris we have a train of letters, some *from* Mary, and some *to* her; but all nearly in the same circumstances, with the one or the other of the two preceding. Thus we have one, which the Queen is said to have written to Bothwell from Glasgow, concerning lodgings for the King, “laquelle escript DES LETTRES, et a luy les bailla, dyfant, Vous direz de bouche a Monf. “de Bo^duel,” &c.; and the answer which Bothwell sent to it, “escrivoit,—et, apres avoir fait, “il dist a Paris, Voyla LA RESPONSE.” We have also another letter from Bothwell to her, received

as she was on the road returning to Kalendar with the King, "comme elle retournoit,—il s'adresse
 "un homme de Mons. Boduel au dict Paris, et
 "lui baille UNE LETTRE pour la presenter a la
 "Royne, ce qu'il fit;" and the Queen's reply to
 it, "elle rescript UNE LETTRE." Then we have
 another letter of the Queen's, which she wrote late
 at night from Kirk-a-field to him, "escrivoit de
 "LETTRES a Mons. de Boduel, et les envoie par
 "le dict Paris au Sieur de Boduel environ l'onze
 "ou douze heures de nuit;" and his return to it,
 "il RESCRIT, estant au list." And we have finally
 a letter of hers from Linlithgow, and a letter of
 his from Halton near it; "la Royne rescript UNE
 "LETTRE par le dict Paris;" and Bothwell, "apres
 "avoir ESCRIPT,—dit au dict Paris," &c. We
 have thus four couples of letters betwixt Bothwell
 and the Queen, in this confession. But what be-
 came of these letters afterward? The first to Both-
 well is intended for the first of the eight. Where
 then are the others? Where are Bothwell's, par-
 ticularly? These must be of considerable import-
 ance in themselves. They would elucidate the
 scheme of the murder, in the selection of the lodg-
 ings, completely. And the addition of his letters
 to hers, would corroborate the testimony of the latter
 very greatly. Yet, notwithstanding these powerful
 reasons for exhibiting Bothwell's letters, and though
 the rebels might with as much ease, and with more
 judgment, have discovered some of his letters in her
 custody and in her silver box, as well as hers in
 his custody but in her box; yet they never pre-
 tended

tended to any of his. They could not imitate his writing, though they could hers. They therefore left the *love-sick* Mary, to lose or to destroy (for she could not have concealed) all his letters; and the *cold-hearted* Bothwell, to preserve hers carefully. So awkwardly is this whole machine of forgery put together! And so surely, the moment we come to see it work, do we hear the wheels grating and jarring against each other, and half the movements obstructed by some counter-movements within! What, however, becomes of the three remaining letters of Mary's? They will undoubtedly be produced, though Bothwell's are not. Yet they are not. The letter written between Glasgow and Kalendar was never produced at all. It is not even noticed in the journal. It is equally rejected by this rebel register of the letters, with the letter to Bothwell on the 15th of June, and with the letter to the captain of Dunbar castle afterwards. And it is therefore pronounced spurious, by the authoritative voice of the rebels themselves. But the other two are noticed in the journal. One of these is the letter from Kirk-a-field, on February the 7th. The other *meant* to be the letter from Linlithgow, of January the 29th. But, by a confusion that exposes the forgery at once, *this* mistook the Queen's abode at Linlithgow on April 23, when by the journal no letter was written at all; for that of January the 29th, when by the same authority one was written. Thus the confession makes her send a letter from Linlithgow on April the 23d, and not one on January the 29th; while the jour-

nal makes her send one on January the 29th, and not one on April the 23d. And *this* therefore is evidently spurious. It was accordingly not produced by the rebels; though its counterpart, or itself, whichever we may call it, *alter et idem*, is expressly mentioned in the journal. But the letter from Kirk-a-field was produced. It was produced at York. It was suppressed, however, at Westminster. It was suppressed for ever afterwards. And a suppression after an exhibition, pleads more strongly perhaps, than a regular suppression from the beginning; certainly pleads with a decisive powerfulness; for the forgery of the letter*.

We have also another letter in this confession, that, from the slight and incidental mention of it, is likely to escape all observation. Paris says, that on the day Bothwell imparted the design of the murder to him, which by his first confession appears to have been "Wednesday or Thursday before the "Sunday of the King's murder †;" and which was the day the Queen lay at Kirk-a-field for the first time, "qui fust le mesme jour que la Royne couchast "au logis du Roy a Kirk-a-field;" at night, "ceste "nuit," she sent him betwixt eleven and twelve, "environ l'onze ou douze heures de nuit," with one of the letters above to Bothwell. He went, delivered the letter, and returned with an answer. It was now Friday morning, "estant de retour vers "la Royne Vendredy au matin." And *that very night*, being the *second* night of the Queen's lodging

* Goodall, ii. 76, 77, 78, 80, 81, 83, and 84. † Ibid, i. 137.

at Kirk-a-field, she sent him back again with another letter to Bothwell; "*ce Vendredy, la nuit la Royne coucha encores au logis du Roy, — lui ren- voya derechef porter DES LETTRES au Sieur de Belluel **." Mary is thus described, as writing with a wonderful rapidity of correspondence to a man, who was only in her own palace of Holyrood-house, and with whom she had been or might have been conversing all the day, on Thursday and on Friday; upon no incidents that had emerged since she left him and Holyrood-house, and merely because every day brought them nearer to the night of the murder. But then, for this very reason, the letter will be produced, to shew the rapidity from the date, to evidence the eagerness of Mary for the work, and to blast her eyes with the view of this additional monument of her detected iniquity. Yet it is not produced. It is never shewn. It is never pretended to be shewn. It is never pretended to be possessed by the rebels. And it fled away, with the others above, to that region in the Paradise of Fools, to which

All th' unaccomplish'd works of nature's hand,
Abortive, monstrous, or unkindly mix'd,
Dissolv'd on earth, do fleet.

We have thus no less than six letters of the Queen's, attested by the rebels to be genuine, and yet reprobated by the rebels as spurious. They appear to have been all launched, like so many bubbles, upon the bosom of the air; in order to

* Goodall, ii. 79, 80, and 81.

delude Kirkaldy, in order to delude Elizabeth, in order to delude all mankind, with their specious shew. They accordingly glittered for a time. But their time was short. It was shorter with some than with others. Some just shone and dropt. Others wore their artificial lustre for a longer period. But the longest duration was only short. Then they all burst successively. And these seemingly solid gems

Melted into air, into thin air.

But we have other letters of Mary's, that, in the warm hands of the rebels, equally

Melt and resolve themselves into a shaw.

We see a whole set of them appearing in the silver box with the eight, and even produced with the eight at Westminster. They were in Scotch, while the eight were in French. They were witnesses with the eight, to Mary's hatred of her husband, and to Mary's love of Bothwell. Yet they were withdrawn, while the eight remained behind. And, while the eight were allowed to walk the world and enjoy the sun, these were remanded back into the dungeons of darkness in which they were born, and there strangled by the murderous hands of their own parents.

But let us now pass from letters to other writings forged by the rebels. And let me particularly mention, at some length, a forgery of a still more extraordinary nature, than any that I have mentioned
yet;

yet; one which comes next in order of time, and which, equally with seventeen of the preceding, involves all the leaders of the rebellion in its criminality.

In the parliament of December 1567, said the rebels in a formal address to the English commissioners at Westminster, "some of them which be now their adversaries were present, and gave their voyce to the same" law for deposing and imprisoning Mary, "without contradiction*." The rebels even, "produced and shewed a wryting, signed by "Mr. James Macgill, clerk of the register, containing a request, by way of protestation, by the "Erles of Huntly and Argile, and the Lord Harrys; by the which they require to have no faulte imputed unto them, for not doing their duty "since the 10th of June 1567," the commencing day of the rebellion, "until the 29th of December "then following," the concluding day of this parliament; "for the which, by order of parliament, "they were acquitted: which wryting was produced "by them, to shew in what sorte the said Erles and "the Lord Harrys had acknowledged in parliament their obedience unto the King," the infant son of Mary †. They accordingly exhibited, what they called "an authentick extract or exemplification of a protestation" made by them. In this the peers desire, "that na fault suld be imput to "thame,—albeit thay haif nocht done sik thingis "as thay suld haif done, obediently and as be- "came thame of thair dewtie." Then the Regent

* Goodall, ii. 234.

† Ibid, 236—237.

is said to have "declared, that he forgaf and for-
 "gevis the saidis Erlis and Lord, for ony occasioun
 "bygane, and, siclike, all uther liegis of this
 "realm, quhilks will in tyme cuming assist to the
 "Kingis Majestie and his Regent." This declara-
 "tion from the Regent "being voted be the three
 "estatis of parliament, thay in like wise declared
 "according to the foresaid declaratioun of the said
 "Lord Regent; quhairupon the saidis Erlis and
 "Lord asked instruments." And the protestation
 is finally attested thus: "extractum de libro acto-
 "rum parliamenti, per Magist. Jacobum Makgill
 "de Rankillour-Nether, clericum rotulorum re-
 "gistri, et consilii S. D. N. regis, sub meis signo
 "et subscriptione manualibus. JACOBUS MAC-
 "GILL*." All this carries with it, in appearance,
 every note and evidence of authenticity, that a
 record can possibly lend. Yet it is all an im-
 position, played off by the hands of superlative
 knavery, upon the faith and honesty of the world.
 This may be proved, with an uncommon force of
 evidence. This may be proved, from the very
 rebels themselves. This may be proved too, from
 the united attestations of the royalists. And I shall
 lay this unknown mine and counter-mine of ini-
 quity, all bare to the eye of the sun.

When the rebels had made their address and
 presented their paper before, to the commissioners
 of England; they thought they had not yet gone
 far enough, in their course of forgery. Ever spur-

* Goodall, ii. 237.

red on by the suspicious activities of guilt, they could never stop in their career, till they had reached the goal.

Nil actum reputant, dum nil sapereffet agendum.

They therefore presented another paper to the commissioners, and at the very time probably, when they presented the three additional letters, the bond for Bothwell's marriage, and the rebel journal. This is not noticed by the commissioners, any more than the journal, the bond, or the letters. But, equally with some other papers presented by the rebels, it is found repositied in the paper-office *. And it tells us evidently by its language, that it was drawn up by the rebels. They intended by it to fortify their former paper, and to entrench themselves behind a double line of works. But, with the curse that has so repeatedly attended the operations of these head-engineers in villainy, they have drawn their second line in such a manner, as, in the hands of an enemy, to prove a perfect counter-vallation to the first. And they have directly refuted their previous, by their succeeding, forgery.

This second paper is called "an account of Lord Herreis's behaviour in the parliament held December 15, 1567." In it Lord Herris is said to have "made a notable harangue, in the name of the Duke and himself, their friends and adherents (the Duke himself, the Earl of Cassilles, and the Abbot of Kilwinning, being also present) to persuade the union of the whole realm

* Robertson, ii. 385.

“ in one mind.” In this speech, say the rebels, “ he did not spare to set forth solemnly the great “ praise *that* part of this nobility did deserve, which “ in the beginning took meanes for punishment of “ the Earl Bothwell ; as also, seeing the Queen’s “ inordinat affection to that wicked man, and that “ she could not be induced by their persuation to “ leave him, that, in sequestering her person within “ Lochlevin, they did the duty of noblemen.”

He added, they say, “ that *their* honourable do- “ ings, which had not spared to hazard their lives “ and lands, to avenge their native country from “ the slanderous reports that were spoken of it “ among other nations, had well deserved, that all “ their brethren should join with them in so good “ a cause : that he, and they in whose names he did “ speak, would willingly, and without any com- “ pulsion, enter themselves in the same yoke, and “ put their lives and lands in the like hazard, for “ maintenance of our cause ; and if the Queen her- “ self were in Scotland, accompanied with 20,000 “ men, they will be of the same mind, and fight in “ our quarrel.” He is reported also by the rebels, to have expressed his “ hope, the remainder noble- “ men of their party, Huntley, Arguile, and others, “ which had not as yet acknowledged the King, would “ come to the same conformity, whereunto he would “ also earnestly move them ; and, if they will re- “ main obstinate, and refuse to qualify themselves, “ then will the Duke, he, and their friends, join “ with us to correct *them*, that otherwise will not “ reform themselves.” And, as the rebels remark

upon

upon the whole, "so plausible an oration, and
 "more advantageous for our party, none of our-
 "selves could have made: he did not forget to
 "term my Lord Regent by the name of Regent
 "(there was no mention at all of the Earl of Mur-
 "ray) and to call him Grace at every word, when
 "his speeches were directed to him; accompanying
 "all his words with low courtesies, after this man-
 "ner *."

This is a most extraordinary forgery, in addition to the other. It even exceeds that, in the bold bravery of lying; though it is exceeded by that, in the formality of falsification. But it comes in happily, to prove the forgery of both. Some animals, in attempting to swim, are said to cut their own throats. The dexterity of forgery is often only its own bane. It is

like an ill-sheathed knife,
 That cuts its master.

And it is peculiarly so here.

We were told by the rebels before, that "some
 "of them which be now their adversaries were pre-
 "sent" in parliament, "and gave voyces to the
 "same without contradiction;" and we are told by the rebels now, that "so plausible an oration,
 "and more advantageous for our party, none of
 "ourselves could have made." So far the two papers agree together. But they agree no farther. "To shew in *what sorte*—Lord Herris," and others, "had acknowledged in parliament their

* Robertson, ii. 385—386.

“obedience unto the King,” the rebels produced the *first* paper. This is “a request by way of protestation,—by the which they require to have “no faulte imputed unto them, for not doing their duty,” since the commencement of the rebellion. Accordingly, in the paper itself, they protest “that “na fault suld be imput to thame, nor any of thame,—albeit thay haif *nocht* done sik thingis “as thay suld haif done, obedientlie, and as be- “came thame of thair dewtie.” And the Regent and three estates “forgaf and forgis” them, “and—all uther liegis—quhilks will *in tyme coming* “assist to the Kingis Majestie and his Regent.” But, in the *second* paper, we see Lord Herry and his friends “acknowledging their obedience unto “the King,” in a manner very different from all this. They do not *now* request forgiveness, and so shew their obedience. No! They spurn at this creeping and groveling kind of disloyalty to Mary. They mount upward into the highest element of sedition, with boldness. They there inhale the foulest atmosphere of rebellion, with eagerness. And they breathe it out again with as loud a trumpet of treason, as even any of the rebels themselves could have sounded. They assert “the Queen’s “*inordinat affection* to that wicked man” Bothwell. They own to the rebels, in consequence of this, that, “in sequestering her person within Lochleven, “they *did the duty of noblemen*.” They declare to them, “they—will enter themselves in the same “yoke, and put their lives and lands in the like “hazard, for maintenance of the cause.” And they even

even aver, that, "if the Queen herself were in "Scotland," and "accompanied with 20,000 men" there, "they will be of the same mind, and fight "in the quarrel" for the rebels. So very different is this account of their behaviour from that! Even so opposite and contradictory is it! And so clearly does each convict the other of forgery!

But indeed the outrageousness of such a speech as this, from such a man as Lord Hennis, betrays its own forgery sufficiently of itself. He was uncommonly brave, steady, and resolute. He stood by the Queen with an unremitting spirit of vigour, for many years. He very early challenged Murray to his face, with a knowledge of the intended murder of Darnly*. He even offered to fight with Murray, upon this challenge†. *That* he did, before the parliament was held in 1567; and *this*, a twelve-month afterward. And he actually offered, about a year after the latter fact, to fight with Morton, as equally privy to the intended murder‡. Yet he, even he, is represented as making "so plausible "an oration, and more advantageous to their "party," as "none of themselves could have "made." Thus the stern and sturdy oak, that thrusts its head into the sky without fear, and mocks at all the tempests of it, is turned by the magic hand of fiction into a mere willow, that plies to every breeze. But, to heighten the absurdity still more, Hennis is said to have "accompanied all

* Lesley's Defence, 75. Anderson, i.
271—273.

† Melvill, 100.

‡ Goodall, ii.

"his words with *low courtesies*" to Murray. And thus the hardy and gallant hero is exhibited to the world, in all the ridiculous attitudes of a *petit maître*; he "out-bows the bowing dean;" and he

Ducks with French nods and apish courtesie.

The truth is, that his very inflexibility of virtue and spirit, has drawn from the rebels this legendary account of him. They took their revenge for his challenge of Murray particularly, in this bold and daring defiance of all facts concerning him. They *therefore* described him, as asking forgiveness for his opposition to them. But such guilt as theirs has never the discretion of stopping. They must go on, in their poor revenge. They must describe him, as ranting with them in all the insanity of treason. They thus disclosed the imposture to every eye. And they equally disclosed it, by a slight and incidental neglect in their forgery. "If the Queen herself WERE in SCOTLAND," they make him say, he would fight against her. Where then was the Queen, at the pretended period of uttering this speech? She was actually in SCOTLAND then. She was actually in Lochlevin. But she was *not*, it is plain, when the speech was *forged* for Lord HERRIS. She was *then* in ENGLAND. And the forgers were so little attentive to the course of their own ideas, as once to write to the *present* moments, even while they were forging for the *past*; to expose their forgery by their confusion; and to shew it was made at the time in which it was pre-

sented, even during the conferences in England.

But let us attend to another proof of the forgery, that is still stronger than all these. Lord Herris is made to utter this speech, "in the name of the DUKE," the Duke of Chatelleraut, then the only Duke in Scotland, "and himself, their friends and adherents; the DUKE himself, the Earl of CASSILLES, and the Abbot of KILWINNING, being also present." Yet *not one of all these*, except Herris himself, *was ever present* at this parliament. This may be proved, from a paper signed and attested by Herris and Kilwinning themselves, from a special record of the time, from the concurrent assertions of Buchanan, and from the very rolls of parliament. "Ane gryte part of the nobilitie," says the paper, "and *speciallie* of THE MAIST PRINCIPALLIS," of which the Duke must necessarily be one, never obeyit, *voitit*, or subscrivyt "with thame, but ever enrollit and held thair courtis in the Quenis Majestie thair soveraignis name; and utheris, quhilk *did* compere in the said pretendit parliament," &c.* *Those* therefore did *not* appear in this parliament. Indeed the Duke could not possibly appear in it. He was not even in SCOTLAND then. He was actually in FRANCE. From thence, as he had a right of eventual succession to the crown, he sent a person to protest in his name, against any infringements upon the succession, which Murray and his parliament might make. With this commission the

* Goodall, ii. 168—169.

person deputed came into Scotland, and waited upon Murray. But Murray refused him all admittance into the parliament-house. "Giff the "Duk," he cried, "WILL NOT CUM HEIR, and "join himself with us, let him luk for nothing "heir; and giff he *propones*, as we understand, *our* "*destruction*, and *to cut our throats*, ye sal be "assurit, that we sal find remeid, and cut his and "all theirs that wald so do, rather or ours suld be "cuttit *." The Duke therefore was undoubtedly *not* present at this parliament. He was not even in the island. He was even "proponing the destruction" of the rebels who held it, at the very period of holding it. Yet Buchanan takes a still larger range in his intimations. He goes beyond the Duke to all his adherents. In a small political pamphlet, which he wrote in 1570, and called "an admonition to the trew lordis," he says "of "the Hamiltounis," and of this parliament; that "there wold NANE OF THEM CUM TO PARLIAMENT, "to further thair desyre with *ane anerlie* [only] "vote, but LAY BAKE, to keip thaim selfis at li- "bertie to reproif *all*, that should be done in that "conventioun †." Accordingly, they are not named as appearing, by the rolls of it. The Duke is not upon the rolls. The Abbot of Kilwinning

* Extract from the Proxy's Report, among Goodall's MSS. Stuart, i. 277.

† P. 4, Ruddiman, vol. ii. See also p. 5, and advertisement at the end, for the year in which it was written.

is not upon them. And the Earl of Cassils is not *. The speech then, which says they did attend, and which says they concurred with Lord HERRIS in it, is demonstrably proved to be false.

But there is another demonstration, lying latent in the same circumstance. The peers, who are reported in the *first* paper to have attended in this parliament, and to have acted in union with Lord HERRIS in it, are *not* the Duke, the Earl of Cassils, and the Abbot of Kilwinning, as in the *second* paper; but the Earls of HUNTLY and ARGYLE. Yet both these the second paper very plainly declares, to have *not appeared* in this parliament. "He hoped," HERRIS is made to say, "the remainder noblemen of their party, Huntley, Arguile, and others, who *had not as yet acknowledged the King*, would come to the same conformity, whereunto he would also earnestly move them; and, if they will *remain obstinate, and refuse to qualify themselves*, then will the Duke, he, and their friends, join with us to correct them, *that otherwise will not reform themselves*." And the royalists present when this speech was uttered, are said before to have been "the Duke himself, the Earl of Cassilles, and the Abbot of Kilwinning only." It thus includes, among the attending members of parliament, those who did not attend, and also excludes from the number, those who did actually attend. Argyle and Huntly, thus spoken of as absent in the second paper, are positively declared to

* Anderson, ii. 228—230.

have been present by the first. And they were undoubtedly present; the rolls of parliament equally specifying these, and omitting those.

So evidently does this speech contradict the protestation before! So evidently does that protestation contradict this speech! And so unwarily have these bungling electricians managed their dangerous machine, as to charge it full of lightening, with a design of pouring it all upon the head of Mary, and yet to receive the full stream of its fires into their own bodies! We can, however, demonstrate the forgery of both, not merely from their wild and mad opposition to each other, but from their equal and common opposition to facts. In the reply of the Queen's commissioners to the answer of the rebels, before the commissioners of England; we have a number of useful and important truths unfolded to us. I have cited some from it, in the preceding parts of this work. I have cited one immediately before. And I shall now cite the same passage again, with a much longer passage attached to it; as a full evidence against both these forgeries together. We are told by the rebels before, that the Earls of Huntly and Argyle, and the Lord Herry, did in the parliament of December 1567 "acknowledge their "obedience" unto the new King, by requesting the remission of all their offences since June the 10th before; not their offences against the King, for he was not crowned till July 29th *, but their of-

* Appendix, N° x.

fences against the rebels themselves, who broke out into rebellion on the 10th of June; that the Regent and the three estates in parliament did grant them a remission, on condition of their future obedience to the King; and that the three peers upon this "asked instruments," that is, took formal attestations of their own remission: or, as the rebels afterwards *recollected the fact to be*, that Herris, in the name of the Duke of Chatelleraut, of the Earl of Cassils, of the Abbot of Kilwinning, then present, and of himself, made a violent speech against the Queen; accusing her of "inordinate affection" for Bothwell, approving of her imprisonment and deposition, declaring him and them ready to join in the cause against her, even vowing to fight against her, and even promising to fight against his and their absent friends, Argyle and Hundly, if they would not join them in their defection from her. Yet Lord Herris, the Abbot of Kilwinning, and the other commissioners of the Queen, do declare all this to be absolutely false, and even without knowing a word of it. They declare it to be false, only by telling us what is true. In a formal paper, signed and attested by John Bishop of Ross, Lord Boyd, *the Abbot of Kilwinning, Lord Herris*, Lord Livingston, Sir John Gordon of Lochinwar, and Sir James Cockburn of Skirling, and given in by them to the commissioners of England; we have this account. "Ane gryte part of "the nobilitie," they say, "and specialle of the "maist principallis, never obeyit, voitit, or sub- "scryvit with thame, but ever enrollit and held
"thair

“ thair courtis in the Quenis Majestie thair
 “ soveraignis name; and *utberis*, quhilk did com-
 “ pere in the said pretendit parliament, *tuik instru-*
 “ *mentis* and *protestatiounis*, baith in articlis,” in the
 previous committee of the lords of the articles,
 “ and at the voyting tyme in plane parliament;”
 not protestations of requiring to have no fault im-
 puted to them for their obedience to Mary, and
 not instruments of their own remission from the
 infant and unwitting usurper of Mary’s throne;
 but instruments and protestations, “ that THAY
 “ CONSENTIT TO NA HURT OF THE QUENIS MA-
 “ JESTIE’S persoun, ESTAIT ROYALL, NOR CROWN;
 “ farther nor her Hiencs WALD FRIELIE APPREIF
 “ HIRSELF, BEING AT LIBERTIE; NOR YET WALD
 “ VOIT IN ONIE THING CONCERNING HER GRACE’S
 “ HONOR NOR LYFE; BOT PLANELIE OPPONIT THEM-
 “ SELFIS IN THE CONTRARE, howbeit THAY HAIF
 “ CAUSIT INSERT UTHIRWAYIS IN THAIR PRE-
 “ TENDIT ACTIS, and WILL SUFFER IN NA WAYIS
 “ THAIR CLARKIS TO GIF FURTH THE FORESAID
 “ PROTESTATIOUNIS *.” This is very peremptory.
 It carries the proof of the whole forgery, to its full
 point of perfection. Whatever the rebels dared to
 say, and they dared to say whatever their heart dared
 to suggest,

Ausi aliquid magnum, gyaris et carcere dignum;

Herris and his friends never spoke in favour of the
 rebels, never confederated with the rebels, never

* Goodall, ii. 168—169.

confederated

confederated or spoke against the Queen, and even entered formal protestations that they would not. These protestations the rebels could not prevent them from entering. But they could suppress them afterwards. They therefore would not suffer their clerks, Makgill and his deputies, to deliver out any copies of these written instruments, after they were entered. They could then venture upon a still more impudent deed of dishonesty. They denied, that the peers had made any such protestations at all. They asserted, that they had voted with them in the parliament. They affirmed, that they had acknowledged obedience to the new King, by soliciting and receiving a pardon for their disobedience before. Then kindling, like a chariot-wheel, with their own motions, they proceeded further to aver, that Herris and *others*, whom they strangely mistook for the *same*, had even acknowledged obedience in the most violent terms of treason against Mary, had abused her with all the rankness of rebel scurrility, and had even offered to risque their lives, to stake their lands, and (as I may add) to pawn their very souls too, in aid and support of the rebel cause. They even forged a speech for Herris, to this purport. They even forged a protestation to this purport, for Herris, Argyle, and Huntly. They even made their principal clerk, Makgill, to exemplify the forged protestation by his own sign manual and subscription. And they crowned all, by making Makgill also to enter a bold and daring lie upon the journals of parliament; to assert the concurrence of those with
7 them,

them, who had actually protested against them; and to bear down all their formal instruments of protestation, by the very brunt and shock of audacious falsehoods.

To such a pitch of impudence and imposture did these men now mount in conjunction! But even these are not all their forgeries. We have still more behind. We have no less than four behind. And let us now beat this entangled covert again in quest of the remaining game, again mark the knaveries as they rise up before us, and again shew them in all their liveliest attitudes of villainy to the public eye.

One of these forgeries I have noticed before. This is the warrant which the rebels produced at York, signed pretendedly by the Queen, and authorizing the lords to subscribe the bond, for recommending Bothwell as a husband to her. A recommendation of this nature to her, which was previously recommended by her, is such a monster in life, as destroys its credibility by its absurdity. The rebels, therefore, very wisely suppressed it at Westminster. They equally produced the bond, as at York. But they carefully suppressed the warrant. They did not even make the slightest mention of it. They mentioned it no more than the letter of the 15th of June, the letter of the 18th of July, and the four letters of the confession. And they once more betrayed their knavery by their modesty.

In 1567, Kirkaldy was as little suspicious as an honest

honest man generally is, of any practices of forgery among his friends. But in 1569 he could practise them himself. He had too long been associated with knaves, not to catch the infection of their knavery. The human body assimilates itself by degrees, to any variation of climate. The human mind is equally pliant. And the companion of forgers became a performer in forgery soon. In order to rescue Lethington from the now hostile hand of Murray, these profligates successively quarrelling with each other, and successively endeavouring to inflict the punishment, which they knew each of them deserved; while

even-handed JUSTICE

Return'd th' ingredients of their poison'd chalice

To their own lips:

Kirkaldy made no scruple to forge a warrant, or to have one forged, in the name of Murray; to retort the man's own practices upon himself; to produce it to the keeper of Lethington; and so to get Lethington's person into his own possession*.

But, before I dismiss this long train of Scottish forgeries, let me point out what has never been noticed, a couple of grand forgeries more.

"In the library of the university of Glasgow," says Anderson in his General Preface †, "there is an original bond, consisting of several skins of parchment, signed by one hundred and twelve of the nobility and gentlemen of prime note in

* Buchanan, Hist. xix. 383.

† P. xiii.—xiv.

“ Scotland, upon Queen Mary’s [pretended] re-
 “ signation of the government in favour of her
 “ son, which” has been “ — published by — Dr.
 “ Burnet, late Lord Bishop of Sarum, in—his His-
 “ tory of the Reformation—, but not with the
 “ names of all the subscribers; and being generally
 “ thought a paper of great importance, I have
 “ therefore published it—with the subscriptions at
 “ full length.” And, as Anderson in another
 place* adds, “ what the disposition of the nation
 “ was at the time of this parliament,” in December
 1567, “ may in some measure appear from the
 “ bond then entered into, by so many of the clergy,
 “ nobles, gentlemen, and barons.” Yet there is the
 strongest reason to think, that this boasted bond has
 passed through the hands of forgery, and that for-
 gery has been busy in enlarging its list of sub-
 scribers.

Bishop Burnet, says Anderson, has not published
 the names of *all* the subscribers. Indeed, says
 Keith†, “ the subscriptions in the bishop’s copy
 “ come *far short* of Mr. Anderson’s; neither are
 “ they *in the same order*, so far as *they proceed toge-*
 “ *ther.*” But, what is more, the original (as An-
 derson tells us) is “ signed by *one hundred and*
 “ *twelve*,” and yet his own copy contains nearly
 double the number, even *two hundred and sixteen*‡.
 This is a very extraordinary variation. Nor can
 any apology be made for it, by supposing his ac-
 count to take in only 112 of the first, or 112 of

* P. xxxvi—xxxvii.
 N. 233—240.

† P. 434.

‡ See it in

the principals. After the first 112, come several gentlemen of consequence, and even some *knights*; as 115 is "Jhone Edmiston of yat ilk, knyght;" 142 "John Cockburn of Ormiston," a family well known to be of consequence; 160 "Thomas Ker of Fernhest," a family better known to be of consequence; 162 "Gylbert Ker of Prudensyd, knyght;" 164 "Thomas Turnbull of Badroule, knyght;" 167 "Lochinwar," meaning Sir John Gordon of Lockinwar; 174 "Charles Murray of Cokpuill," a man of considerable fortune*; &c. &c. Anderson even speaks of the subscribers *in general*, as men of weight in the scale of the state. The bond, he says, was subscribed by "so many of the clergy, nobles, gentlemen, and barons," that he infers the main body of the nation to have taken part with the rebels. "It is observable," he even adds, "that most of the persons subscribers of that bond, and of those who were present at the parliament in December 1567, are the same with those who attended the parliament or convention in August 1560†." Most of the subscribers, therefore, were members of parliament. And Anderson accordingly speaks of all the subscribers, as "one hundred and twelve of the nobility and gentlemen of prime note in Scotland;" without one intimation that there were any others besides, and with an obvious import that "one hundred and twelve" were all.

* Peerage, 180.

† P. xxxvii.

So negligently has the bond been published by Burnett, and been spoken of by Anderson! But Anderson has spoken of it still more negligently. He infers the concurrence of the nation with the rebels, from the number of subscribers to it; when *many* of the subscribers are apparently *loyalists*, when the *second* and *third* on the list are HUNTLY and ARGYLE, those pre-eminent loyalists at the time, and when FORGERY ALONE COULD HAVE INSERTED ALL OR SOME OF THOSE NAMES. That the names of Argyle and Huntly, particularly, are inserted by the pen of forgery; we have a sufficient evidence in what I have already shewn, of their real behaviour at the rebel parliament, and of the falsehoods forged by the rebels concerning it. They would so little subscribe to the rebellious bond of association against Mary, and so little agree to *crown* her son in her stead, to *transfer* their allegiance from her to him, and to *support* him in his usurpation against her and all opposition; that they "wald not voit in *onin* thing concerning her Grace's honor nor lyfe; but planelie opponit themselfis in the contrare" by formal protestations. They "tuik instrumentis and protestatiounis, baith in *arriels*, and at the voiting tyme in plane parliament; that thay consentit to na hurt of the Quenis Majestie's person, estat royall, nor crown, farder nor her Hienes wald frielie appreif himself, *being at libertie*." And their names unite with those of other loyalists, to shew the fingers of forgery very plainly soiling the list.

One of these other names even comes in, as an additional

additional mark of forgery. In Douglas's Peerage* we are told, that "James, third Lord Carlyle,—was one of those noble patriots, that entered into that memorable association, obliging themselves to stand by Queen Mary with their lives and fortunes, &c. anno 1568. MS. in the "advocates library, p. 167." This association was entered into, on May the 8th, 1568. Yet JAMES Lord Carlyle, we are told, entered into it. And this gives us a specific proof of the forgery. In the list of subscribers to the rebel bond, and the *twenty-fourth* in the list, is this signature, "MICHAEL Lord Carleyll, with my hand at the pen, "Al. Hay, Notarius †." The Lord Carlyle, who subscribed to Mary's bond in May 1568, was James. The Lord Carlyle, who signed the rebel bond the year before, was Michael. And yet "Michael, fourth Lord Carlyle," the second son of Sir William second Lord Carlyle, is noticed expressly in a charter from King James, as "*frater et heres Jacobi domini Carlyle ‡*," James died, probably, soon after his subscription to Mary's bond. Michael then succeeded him. And some time afterwards, when the exact period of this event was no longer remembered with precision, a forger came, and inserted Michael's name by mistake for James's; just as the names of Huntly, Argyle, and other royalists were inserted, to lengthen out the number of honourable subscribers, and to give a greater dignity to the association.

* P. 121.

† Anderson, ii, 233.

‡ Peerage, 121.

I have sufficiently proved before, the astonishing promptness of these rebels, to make out in forgery what they wanted in truth. But the present fact serves to enforce and enlarge the proof. All concurs to shew the "questionable shape," in which any paper must appear that comes from the rebels. And we have a memorable instance of this, in another part of Anderson's General Preface.

In the Cotton library, he says, he found two papers, one an accord between Francis and Mary and their subjects, the other their commission for making it; and "both these papers being in the, "original French, as signed by Monluc and Randan, are attested under the hands of Lord James Stewart—, and of the Lord Ruthven and Secretary Maitland; which paper [containing both] is "marked by Secretary Cecil; and the attestation, "signed by the foresaid three persons, seems to be "written in Cecil's own hand*: this paper is more "FULL and SATISFACTORY, than any *translation* or "account we have of it from historians, containing "MANY CONCESSIONS made by Francis and Mary "to their subjects of Scotland, with relation to "their rights and liberties †." This extraordinary paper has been since published in a full translation, by Keith. It carries all the pomp of authenticity in its signatures. It is signed at the bottom of the commission, which comes immediately after the accord, "FRANCIS" and "MARY." It is countersigned, "by the King and Queen, De l'Aubef-

* Keith, 144, says, they are "in the proper hand-writing of the subscribers."

† P. xxxiii—xxxiv.

"pine."

"pine." It is then sealed with yellow wax, and signed below, to ratify the accord, "MONLUC E. of Valence," and "RANDAN." Then follows a preface to an intended list of Scotch subscribers to the accord, *without any list at all*. And the whole is finally authenticated as genuine, by this attestation: "this is the trew copy of the original conferred and colationed. JAMES STEWART. RUTHVEN. W. MAITLAND*."

Yet this is all a forgery. Those very concessions, upon which Anderson dwells so particularly, upon which he might well dwell so, and of which we have no mention in any other "translation" or "account" of the agreement then made, plainly intimate *this* copy of it to be a forgery; when we couple it with the detected forgeries before. What has no other authority, than the attestations of such convicted forgers, as Murray, Maitland, and their associates; certainly comes in a very suspectable character to us. The very touch of such villains carries contagion with it.

——— Horrifico lapsu de montibus adfunt
 Harpyiæ, ———
 ——— Contactuque omnia fœdant
 Immundo; tum vox tetrum dira inter odorem.

And whatever paper has been under the hands of these political harpies, must be considered by every thinking mind, to carry in its very "fullness" and "satisfactoriness" of intelligence, in its very singularity and amplitude of concessions to the re-

* Keith, 137—144.

bels; the mark of their defiling claws, imprinted strongly upon it.

But, in the present case, positive evidence is remarkably superadded to presumptive. There is an unfortunate error in dating the latter of the two instruments, that exposes the forgery of both completely. The commission is said to have been signed by Francis and Mary, "at Remorentin, the 2d day of June, in the Year of Grace 1560, and of our reigns the first and SIXTEENTH." But this is a gross error in chronology. Mary was now, not in the sixteenth, but in the EIGHTEENTH, year of her reign. Her reign commenced nearly with her birth, in the month of December 1542. All authors agree in this*. In June 1560, therefore, she must be past her sixteenth year. She must be past her seventeenth. She must be in her eighteenth†. And, as the seal of forgery upon the paper thus comes forward with a bold and strong relief to the eye; so does it show the whole to have been forged, when the period of its dates had been long elapsed, when rebellion was throwing out its giant-arms of forgery on every side, and when Murray and his accomplices were ready, with their giant-falshoods, to storm the very heavens themselves.

But the infamy of forgery was not confined to Scotland at this period. It extended equally to England. In 1581 Randolph, the agent of Elizabeth at the Scottish court, exerted himself with a

* Keith, 22.

† See dates accordingly in Keith's Appendix, 105, 115, 157, and 172.

very extraordinary vigour, to drive the new Earl of Lenox from the administration of affairs, and to replace Morton in it. He therefore applied to the young king. But failing in his aims there, he addressed himself to the parliament. He charged Lenox with having supplanted Morton, and other true subjects, in the good opinion of the King. He PRODUCED SOME LETTERS, that had been written by Lenox, he said, to encourage foreign nations in a descent upon England. And he conjured them, by their regard for the Reformed Religion, to resent this conduct, to draw their swords (if necessary) against their sovereign himself, and to expect the assistance of Elizabeth in the pious work. Here, as against Mary before, was a formal production of forgeries, to justify accusations and to sanction rebellion. Only here, the letters stepped forward boldly, and appeared upon the open theatre of the world. They sued to be seen and examined, by Lenox and by all the parliament. And, for that very reason probably, it was instantly discovered that they were forged*. They were forged most probably by Morton himself, as Kirkaldy's was, I suppose, by Lethington. Those were forged to rescue Morton, as this was to rescue Lethington, from a trial for THE MURDER OF THE KING. And yet Dr. Robertson, with a

* Camden, Trans. 262, Orig. 316, "plerique suspicabantur;" Spotswood, 312, "the wiser sort esteeming the letters he produced counterfeit, as afterwards also was known;" and Crawford, 369, "the very letters he produced were found, upon the first enquiry, to be mere forgeries."

disingenuousness that nothing can excuse, omits all mention of these forged letters *.

On the detection of them, Randolph was justly reproached with the profligacy of his conduct. Nothing but the peculiarity of his situation, as an ambassador, could have screened him from the vengeance due to it. Even Elizabeth was very naturally considered, as an associate in the foul act of forgery with him †. He acted, no doubt, by her directions. The peculiar boldness of his proceedings shews it. But indeed Elizabeth did not attempt, to vindicate herself from the imputation. She never disowned either the violence or the fraudulence of her ambassador. She did not even recall him. She even justified him in form upon his return, as a man of integrity, and as a friend to Scotland ‡. And she thus made all his forgery her own.

She had long been habituated to the sight of forgery. She had seen it displayed in its liveliest colours, at the conferences before her commissioners. She had made herself a party in that grand deed of knavery, by assisting in the deception, and by uniting to prosecute the purpose of it. But she afterwards went further in forgery. She rose from the humility of an accomplice, to the dignity of a chief, in the work. The vile arts, which she had seen practised by the Scots against their Queen, she practised with more confidence, and with less success, against the Scots themselves. And she exer-

† ii. 78.

† Stuart, ii. 136.

† ii. 138.

eised them equally against Mary afterwards; letters forged in the name of Mary being sent to the houses of papists, letters forged in the names of papists being pretendedly intercepted on their way to Mary, and even forged letters from Mary, concerning Babington's conspiracy, being pretended to be found in the wall of her prison*.

Elizabeth had probably been taught this highest act of flagitious policy, by that *trio* of the most unprincipled politicians, which human impiety perhaps ever generated all together; Murray, Morton, and Lethington. By them, probably, she had been initiated into those hellish mysteries of iniquity. And Lethington, no doubt, was the original initiator of them all.

He had been *long* in the habit of counterfeiting Mary's writing. He even *acknowledged* that he had, in some private conversation with the English commissioners at York †. It was HE therefore, that forged the warrant from Mary for the execution of Lord Huntly. It was HE, that forged the other warrant, for the subscription of the nobles to Bothwell's bond. HE forged the letter of June the 15th. HE forged the letter, or the story of a letter, written from the Queen to the captain of Dunbar castle, and intercepted by the rebels. HE forged the two letters from Linlithgow and Holyroodhouse, which were suppressed by the rebels. And HE forged the eight that were actually published. HE also, we may be very sure, forged the order

* Stuart, ii. 196, 208, 251, and 267. † Camden's Ann. Transf. 116, Orig. 143—144.

from Murray to *his own* keeper, for the delivery of *his own* person to Kirkaldy. He too, we cannot but conclude from this, forged the letters from Sutherland, that were pretended to be found in the pocket of the slain Huntly.

There were indeed others at the time, that trod in his steps, and took his downward road to fame. "Thair ar," says Mary herself on September 29, 1568, "*divers* in Scotland, baith men and *women*, that *can* counterfeit my hand-writing, and write the like maner of writing quhilk I use, *as weill as my-self* *." The *woman* here alluded to was Mary Bethune, a maid of honour to the Queen †. The *man* is indicated by a letter of Sir Francis Knollys's to Elizabeth, dated January the 28th, 1568-9, in which he mentions Mary to have said, "she suspected that a "*Frenchman*, now in Scotland, might be the author of some *Scotch* letters devised in her name ‡."

Such a continual victim to the villainy of forgers, does this unhappy Queen appear to have been, from the moment she set her foot upon British ground! But these were only petty forgers: And their productions were only the play-things of a wicked hour. They never could rise to the dignity of such deeds of enormity, as we see above. These required a spirit like Lethington for the work, a man whose rank entitled him to hold the office of secretary of state, a man whose abilities qualified him to make a conspicuous figure in it, and

* Goodall, ii. 343.

† Jebb, i. 524, and ii. 243.

‡ Robertson, ii. 394.

a man whose soul was as daring in invention, as his hand was dexterous in execution. And that master-stroke of forgery, the fabrication of a set of letters which should convict a QUEEN of adultery and murder, is peculiarly too high and bold an operation, for any but a Lethington.

Accordingly Mary, and her ambassador the Bishop of Ross, point directly at Lethington several times, as the great and grand forger of her writing. There are several, says Mary, that can counterfeit my hand, "and principallie sic as ar in cumpanie with *thameselfis* *."—"Thair are findrie," says her ambassador to Elizabeth, "quha can counterfeit his hand-writ, quha have bene brocht up in hir cumpanie," Mary Bethune, &c. "of quhom thair are *sum assistand thameselfis*, as weil of uther natiounis," the Frenchman before, who here appears to have held some office in her court, "as of Scottis," Lethington; "as I doubt not bot *zour majestie*, and divers utheris of *zour Hienes's* court, has sende *signerie* letteris sent here from Scotland, quhilk wald not be kend [from those] by her awin hand writ †." Letters addressed to Elizabeth herself, as from Mary, could be forged only by her forging secretary. Neither Bethune nor the Frenchman would have presumed, to take so high a flight in forgery as that. Nor could either of them have had any purpose to serve by it, if they would. The quality of the work betrays sufficiently the hand of her intriguing secretary. And Lesley fixes it clearly

* Goodall, ii. 343.

† Ibid, 388.

upon him, in these words of his Defence of Mary :
 " as though that many in Scotlande could not—
 " counterfeit in their writings the Queene's very
 " character; and as though there were not AMONG
 " YOURSELVES," Murray, Morton, &c. " SOME
 " SINGULAR ARTIFICER in this handy-craft, and
 " that hath sent LETTERS ALSO IN HER VERY
 " NAME, aswel into ENGLANDE, as to OTHER
 " PLACES BYSYDES, without either her commaunde-
 " ment or knowledge *." Such a wide and ample
 range in forgery, did Lethington give himself. He
 forged the Queen's hand-writing to papers at home.
 He forged it, for letters to the court of England.
 He forged it, for letters to the courts on the conti-
 nent. And he therefore appears the boldest and the
 mightiest forger, I believe, that the world has ever
 beheld.

But it is peculiarly observable at present, that HE
 wrote the very letters to Elizabeth, which Elizabeth
 made use of for collating the celebrated eight. Eli-
 zabeth had received several letters, as from Mary;
 which appeared afterwards, and from her reply to
 Elizabeth's answers probably, to have been mere
 forgeries. HE was the person who forged the let-
 ters. HE was also the man, who forged the eight.
 HE therefore was the suggester to Elizabeth, of
 taking the forgeries which had been formerly sent
 to her, and of collating the eight with them. And
 HE thus put her upon comparing *his own* forgeries
 addressed to *her*, with *his own* forgeries addressed to

* Anderson, i. Defence, 20.

Botwell; and so repeating again the astonishing juggle of the commissioners before, who collated the letters produced by Murray, with letters exhibited by Murray; all, all of them, equally the manufacture of Lethington himself.

In such a red glare of iniquity does this wretched man stand before us at present, the first of human forgers! Yet he had none of that wild and turbulent selfishness about him, which formed a Murray and which made a Morton. He had none of that resolute malignity in his spirit, which is kindled by opposition, which is inflamed by success, and which turns the human brother into a brother of the deep. He wanted however that rectitude of principle, which fixes a man perpetually in the presence of God; which tells him, the broad eye of Heaven is continually open upon him; which exhibits to his mind the Present Witness, the Future Judge, and the Eternal Avenger; and which therefore keeps him habitually and uniformly honest. He had also an activity of genius, that loved to be busy in intrigues; a facility of disposition, which rendered him servile to the influence of those profligates, with whom he was accidentally cotemporary; and a vanity of soul, that kept him pleased with the importance of his own talents to them, and with the happiness of his own exertions in their favour. All united to make him a mere tool, finely tempered indeed, elegant, sharp, and bright, yet still a mere tool in the hands of Murray and Morton. For them he let his pen expatiate so freely in forgeries. They were in one continued train of conspiracies
and

and rebellions against Mary, from the beginning to the end of her royal residence in Scotland. They attached Lethington to them, by taking advantage of his want of principle, by impelling his facility into an union of counsels with them, and by soliciting his vanity into an execution of their worst measures for them. He became their speaker, their writer, and their forger. He went on advising and acting with them, publicly producing his own forged letters at York for Mary's, publicly declaring his readiness to swear them to be Mary's writing, and yet telling the English commissioners privately at the time, that *he himself* had *often* forged her writing. He went on, caballing with the Duke of Norfolk against Murray and Morton, and endeavouring to prevent their production of the letters*; yet uniting with them to produce the letters at York and at Westminster, uniting with them to exhibit some other forgeries of his own for the collation of those with them, and even at last suggesting to Elizabeth, a similar collation of them with some older forgeries of his own. And he also went on, all the while caballing with Mary, betraying and blasting the very measures which he was pursuing against her, and being therefore seized and imprisoned by Murray; escaping by forgery, and declaring openly for Mary; being afterwards taken by Morton; and being poisoned hastily by him, lest he should openly and judicially tell, what he had plainly hinted at York, what he had probably more than hinted to

* Melvill, 94. &c. and Camden, Transf. 112—113, and Orig. 139—140.

Kirkaldy and others in Scotland, and what is now apparent to all, his own fabrication of the famous letters.

Such an astonishing character was Lethington, at once the honour and the disgrace of Scotland, with a spirit honest, mild, and friendly, a forger; a forger of the first magnitude in villainy; and a forger, with every accumulation of a fiend's malignity on his head! Such a long list of dreadful facts, particularly, does the history of his life afford us, as a comment upon his own ingenuous confession at York! He had *then* indeed "MANY TIMES counterfeited the Queen's hand." He had run a long career of forgery in the service of Morton and Murray, *before* he completed all, in the fabrication of the celebrated letters for them. And it was only by slow degrees, that he became for them the father of a train of political forgeries, that have no parallel for their audacity and for their success, in all the records of the shame of man.

Such, such were the persons, that presumed to call themselves Reformers, to tax the wickedness of Popery, and to be zealous for the purity of religion! That great ferment indeed, which was sure to be excited in the body politic of Christendom by the necessary efforts for reformation, naturally threw out to the surface, a violent eruption of morbid matter on every side. But FORGERY appears to have been the peculiar disease of Protestantism. Originally coming forth as a kind of leprosy, upon the brow of Presbyterianism in Scotland; it was conveyed by the intercourses of vice, to the profligate

gate head of the church of England. In both, it concurred with the rebellious turbulence and the sacrilegious violence of the Reformed, to stop the nations of Europe, that were springing forward from the idolatries of Popery into the pure worship of Protestantism; to make them run back, with a too hasty horror, at the frightful face of Reformation before them; and to prefer even Popery with all its idolatries, to Protestantism with those enormities accompanying it. And the crimes of such wretches, as Lethington, Morton, Murray, and Elizabeth, served unhappily to check the progress of that greatest of all illuminations to man, next to the first propagation of the Gospel; kept many of the states about us, from coming forward to the glorious light of it; and actually abridged it, of half its extensive utility to the world.

CHAPTER THE SECOND.

LOVE-SONNETS (1).

I.

" O Dieux, ayez de moy compassion,
" Et m'enseigniez quelle preuve certaine
" Je puis donner, qui ne luy semble vaine,
" De mon amour et ferme (2) affection.

" Las n'est-il pas ja en possession
" Du corps (3), du cœur, qui ne refuse peine,
" Ny deshonneur en la vie incertaine,
" Offence de parens, ne pire affliction ?

" Pour luy tous mes amis j'estime moins que rien,
" Et de mes ennemis je veux esperer bien.

" J'ay hazardé pour luy et nom et conscience ;
" Je veux pour luy au monde renoncer ;
" Je veux mourir pour le faire avancer :
" Que reste plus (4) pour prouver ma constance ?

" O Goddis, have of me compassion,
 " And schaw quhat certane prufe
 " I may give, quhilk fall not seme to him vane,
 " Of my lufe and fervent (2) affection.

" Helas ! is he not alreddy in possessioun
 " Of my body (3), of hart, that refusis na pane,
 " Nor dishonour in the lyfe uncertane,
 " Offence of freindis, nor worse affliction ?

" For him I esteeme all my freindis less than na-
 " thing,
 " And I will have gude hope of myne enemies.

" I have put in hafard for him baith fame and
 " conscience :
 " I will for his saik renounce the warld,
 " I will die to set him fordwart :
 " Quhat remanis (4) to gif prufe of my con-
 " stancie ?"

II.

“ Entre ses mains, et en son plein pouvoir,
“ Je mets mon fils (5), mon honneur, et ma vie,
“ Mon païs, mes sujets ; mon ame assubjettie
“ Est toute a luy, et n'ay autre vouloir

“ Pour mon objet, que sans le decevoir
“ Suivre je veux, malgré toute l'envie
“ Qu'issir en peut. Car je n'ay autre envie,
“ Que de ma foy luy faire appercevoir :

“ Que pour tempeste, ou bonasse, qu'il face,
“ Jamais ne veut changer demeure ou place.

“ Bref, je feray de ma foy telle preuve,
“ Qu'il cognoistra, sans faute, ma constance ;
“ Non par mes pleurs, ou feinte obeïssance,
“ Comme autres font, mais par diverse espreuve
“ (6).”

" In his handis, and in his full power,
 " I put my sone (5), my honour, and my lyfe,
 " My countrie, my subjectis, my saule, all subdewit
 " To him, and hes nane uther will

" For my scope, quhilk without dissait
 " I will follow, in spite of all invy
 " That may enfew ; for I have na uther desyre
 " Bot to mak him persais my faithfulness.

" For storme of [or] fair wedder that may cum,
 " Never will it change dwelling or place.

" Schortly, I fall give of my treuth sic prufe,
 " That he fall knaw my constancie without fictioun,
 " Not be my weiping, or fenzeit obedience,
 " As uther have done, bot be uther experience (6)."

(1) When these sonnets pretend to be written, has not yet been determined. The rebels themselves, who should be the best judges, seem to have designed them for a time *antecedent* to the letters; having prefixed them to all, when they exhibited both at Westminster. "The tenors of all which seven wrytings," say the commissioners of England, "hereafter follow in order, the FIRST being in manner of a sonnet,

" O Dieux, ayez de moy, &c *."

* Appendix, N^o viii.

Accordingly, they are equally prefixed to the letters in the first Scotch publication of them, and with this common title to both, "the wrytingis and letteris found in ye said casket, quhilk ar avowit to be written with ye Quene of Scottis awin hand." They have also this special title to themselves: "certane Frenche sonettis writtin be ye Quene of Scottis to Bothwel befor hir marriage with him, and (as it is said) quhile hir husband levit, bot certanely befor his divorce from his wyfe, as the wordis thamefelfis schaw, befor quhome scho heir preferris hirself, in deserving to be belovit of Bothwell*." But Lord Hailes and Dr. Stuart think, that they appear from their internal evidence, to be calculated for the period between the seizure of Mary and her marriage†. And I shall endeavour to ascertain the intended chronology of them, and then to make it convict them clearly of forgery.

But who was the author of the forgery? I have pretty clearly proved before, that Lethington drew up the letters. Yet Lethington was not capable of drawing up the sonnets. *Those* were written originally in Scotch, and *these* in French. And even if Lethington was qualified for writing in French, of which I find not the least appearance; he was certainly, from all that appears, not qualified to write *poetry* in French. This indeed required talents of a very different nature from Lethington's. Nor do I know of one man among the usurpers, who was

* Anderfon, ii. 115.

† Stuart, i. 395.

qualified for poetical composition, and who was also capable of undertaking it in the French language; except only the redoubtable BUCHANAN. This therefore reduces the whole enquiry to a short point. And Buchanan must stand the reputed father of this poetical bantling, that has been laid so long at the door of Mary. Nor is this all the evidence, which can be brought in favour of the filiation. Buchanan's own manner of speaking concerning the sonnets, serves remarkably to corroborate our conclusion. In his history he mentions the sonnets and the letters together. He notices the letters first. But he praises them not. He says only, that they were written by Mary. They are "literæ, Reginæ manu Gallico sermone conscriptæ, ad Bothuelium." He did not chuse to compliment Lethington, against whom he wrote a printed libel so early as 1570. Then he immediately notices the sonnets. But he passes not over *them* in so cursory a manner. *He stops to praise them.* He marks the *elegancy* of them. They are "carmen—
"Gallicum, ab eâdem NON IN-ELEGANTER factum*." The natural partialities of self-love solicited this transient eulogium from him. He, who would not compliment the letters as Lethington's, could not but compliment the sonnets as his own. He who praises not Mary for any thing, he who is eager to abuse her upon every occasion, he who is actually abusing her at the very moment, for his own and for Lethington's forgeries; even he

* Hist. xix. 374.

suspends his dashing pen at once, and even he praises her, for the elegance of some verses—which he had written for her. And the father betrays his relation to the bantling, by the visible yearning of his affections towards it.

(2) “Ferme,” French; “fervent,” Scotch. In Buchanan * “*m’enseignez*” is strangely “*ni en-
feignez.*”

(3) This shews the sexual intercourse to have begun, before these sonnets pretend to be written.

(4) “Plus,” French, or (as in Buchanan’s edition) “*il plus†*,” though so important to the sense, is omitted in the Scotch translation.

(5) This implies the King to be dead, and so dates the sonnets below the 10th of February 1567. —“Plain” in Goodall is a mis-print for “*plein*,” as in Buchanan ‡.

(6) “Sont,” French; “have done,” Scotch. In Buchanan’s Scotch edition, the French is more properly in itself, and more agreeably to the Scotch, “*ont fait.*” So “*faute*” just before is “*fainte*” in Buchanan, and is answered by “*fiction*” in Scotch. And the words “*comme autres sont*,” or “*ont fait*,” shew Lady Bothwell to be supposed practising her arts, either then or before, in order to draw Bothwell back to her from Mary.—“Diverse *esprouve*,” French; “*uther experience*,” Scotch, for *other proof*.

* Anderson, ii. 115.

† ii. 115.

‡ ii. 115.

III.

" Elle, pour son honneur, vous doit obeïssance :
 " Moy vous obeïssant, j'en puis recevoir blasme,
 " N'estant, a mon regret, comme elle, vostre
 " femme (1) ;
 " Et si n'aura pourtant en ce point préminence.

" Pour son proufit elle use de constance,
 " Car ce n'est peu d'honneur d'estre de vos biens
 " dame (2) :
 " Et moy, pour vous aimer, j'en puis recevoir
 " blasme,
 " Et ne luy veux ceder en toute l'observance (3).

" Elle de vostre mal n'a l'apprehension ;
 " Moy je n'ay nul repos, tant je crain l'appar-
 " rence (4).
 " Par l'advis des parens elle eust votre accointance ;
 " Moy, malgré tous les miens (5), vous porte af-
 " fection.

" [Et neantmoins, mon cœur, vous doutez de
 " ma constance (6),]
 " Et de sa loyauté prenez ferme assurance."

" Scho

" Scho for hir honour awis zow obedience :
" I in obeying zow may reffaif dishonour,
" Not being (to my displefure) zour wyfe, as
" scho (1) ;
" And zit in this point scho fall have na prehemi-
" nence,

" Scho ufis constancie for hir awin profite,
" For it is na lytill honour to be maistres of zour
" gudis (2) :
" And I for luifing zow may reffaif blame,
" And will not be overcum be hir in loyall ob-
" fervance (3).

" Scho hes na apprehensioun of zour evill ;
" I feir fa all appeiring evill (4), that I can have
" na rest.
" Scho had zour acquaintance be consent of hir
" freindis ;
" I, aganis all thair (5) will, have borne zow af-
" fectioun.

" And not the les, my hart, ze dout of my con-
" stance (6),
" And of hir faithfulnes ze have firme affurance."

(1) This shews Mary not to be yet married to Bothwell, and even Lady Bothwell not to be yet divorced from him.

(2) This shews the vulgarity of soul in the forger of the sonnets. The same appears in the letters. In both, the dignified Queen is totally lost in the "Maid Marian" of her pretended imitators. Burlesque itself could not go beyond the present absurdity, of making a Queen to speak of the no little honour accruing, from being mistress of Bothwell's goods. It is realizing the dreams of republicanism at once. It is creating

A court of coblers, and a mob of kings.

(3) The third line in this stanza concurs with the three in the preceding one, to shew the divorce not yet made, and the marriage not yet solemnized.—
"Toute," French; "loyall," Scotch.

(4) How loose is the Scotch, compared with the French! But both shew the sonnets to be pretend-
edly written, at some "appearance" of evil to Bothwell particularly.

(5) "Tous les miens," French; "thair," Scotch.

(6) I have added this line, which is lost in the original. The terms of the Scotch point out the words of the French.

IV.

“ Par vous, mon cœur, et par vostre alliance,
 “ Elle a remis sa maison en honneur (1) ;
 “ Elle a jouï par vous de la grandeur,
 “ Dont tous les siens n'avoient nulle assurance,

“ De vous, mon bien, elle a eu la constance (2),
 “ Et a gagné pour un temps (3) vostre cœur ;
 “ Par vous elle a eu plaisir en bon heur (4),
 “ Et pour vous a honneur et reverence (5) ;

“ Et n'a perdu, sinon la jouïssance
 “ D'un fascheux sot, qu'elle avoit chèrement (6).
 “ Je ne la plain d'aimer donc ardemment (7)
 “ Celuy, qui n'a en sens, ny en vaillance,

“ Ny en beauté, en bonté (8), ny constance,
 “ Point de second. Je vy en ceste foy.”

“ Be

" Be zow, my hart, and be zour alliance,
 " Scho hes restoirit hir hous unto honour (1);
 " Be zow scho is becum to that greitnes,
 " Of quhilk hir freindis had never assurance.

" Of zow, my welth, scho gat the acquaint-
 " ance (2),
 " And hes conquist the same tyme (3) zour heart;
 " Be zow scho hes plesure and gude lucke (4),
 " And be zow hes reffavit honour and reve-
 " rence (5);

" And hes not lost, bot the rejoyfance
 Of ane unplesand fule, quhilk scho luifit deir-
 " ly (6).
 " Then I moane hir not to lufe ardently (7)
 " Him, that has nane in wit, in manheid,

" In bewtie, in bountie, in treuth (8), nor in
 " constancie,
 " Ony second: I leif in the beleif."

(1) This alludes to the restoration of Huntly,
 by the reverfal of his attainder, on April 19th,
 1567; and so dates the sonnets below that period.

(2) " Constance,"

(2) "Constance," French; "acquittance," Scotch. This is very strange. But it is only occasioned by a mis-print, of "la constance" for "l'accointance." The sense shews this to be the case.

(3) "Pour un temps," French, *for a time*; "the same tyme," Scotch. So in viii. she is made to say, that her own love shall *at last*, "en fin," appear to Bothwell.

(4) "Elle a eu plaisir en bon heur," French, *has had pleasure in a fortunate hour*; "hes plesure" *and gude lucke*," Scotch.

(5) "Et pour vous a honneur et reverence," French, *for you has honour and reverence*; "*be*" "*zow bes reffavit* honour and reverence," Scotch. The translation has exchanged the two verbs in the two lines, by transferring the one to the other. But Mr. Goodall's edition has omitted a word, which is in Buchanan's, and which is also again in the Scotch, "et pour vous a *receu* honneur et reverence."

(6) Who was this "unpleasant," or, as he ought to be called, this *vexatious*, fool, that Lady Bothwell loved so dearly, before she married Bothwell? "Avoit cherement" is plainly a mis-print for "aimoit cherement." It is accordingly "aymoit" in Buchanan. And "rejoyfance" is a strange word

word for enjoyment, though near to it, and still nearer to "jouissance."

(7) The meaning is, that she does not complain *therefore*, of Lady Bothwell loving ardently a man, who &c. But the Scotch runs in this dark and unmeaning strain; "then I moane hir not to lufe ardently," &c.

(8) Here we have "en bonté," French, which signifies *in good-nature*, rendered "in bountie, in treuth," Scotch.

V.

- “ Quant (1) vous l’aimiez, elle uſoit de froid,
“ deur,
“ Si (2) vous ſouffriez pour ſ’amour paſſion,
“ Qui vient d’aimer de trop d’affection (3) :
“ Son doight (4) monſtroit la triſteſſe du cœur.

“ N’aiaut plaifir en voſtre grand ardeur (5),
“ En ſes habits (6) monſtroit ſans fiction,
“ Qu’ elle n’auoit paour, qu’ imperfection
“ Peult l’effacer hors de ce loyal cœur.

“ De voſtre mort je ne vis la peur,
“ Que meritoit tel mary et ſeigneur.

“ Somme, de vous elle a eu tout ſon bien (7) ;
“ Et n’a priſé, n’y jamais eſtimé,
“ Une ſi grand heur, ſinon puis qu’il n’eſt ſien (8) ;
“ Et maintenant dit l’auoir tant aimé.”

" Quhen (1) ze luifit hir, scho usit cauldnes,
 " Gif (2) ze sufferit for hir lufe passioun,
 " That cummis to greit affectioun of lufe (3):
 " Hir sadnes (4) schew the tristesse of hir hart.

" Taking na plesure of zour vehement burn-
 " ing (5),
 " In hir cloithing (6) scho schew unfenzeitly,
 " That scho had na feir, that imperfectioun
 " Culd deface hir out of that trew hart.

" I did not se in hir the feir of zour deith,
 " That was worthy of sic husband and lord.

" Schortly, scho hes of zow all hir welth (7);
 " And hes never weyit nor estemit
 " One sa greit hap, bot sen it was not hirs (8);
 " And now scho sayis that scho luifis him sa weill."

(1) " Quant," French, then so written for
 " Quand." See Paris's 2d confession *.

(2) " Si," French, signifying *yet*, rendered,
 according to its Latin meaning, " gif," Scotch.

(3) " Qui vient d'aimer," French, words that
 mean passion which comes *from* great affection,

* Goodall, ii. 80, 83, &c.

are rendered "that cummis *to* greit affectioun," Scotch.

(4) "Doight," or (as in Buchanan) "doig," French, is a mis-print for "doute," I suppose. The Scotch translates it "sadnes," and so makes "hir sadnes schew the tristesse of hir hart."

(5) "Grand ardeur," French; "vehement burning," Scotch.

(6) This is a very extraordinary proof of the ignorance and inattentiveness of the Scotch translator. The sonnet-writer says, that Lady Jane Gordon, taking no pleasure in the great ardour of Bothwell for her, did by her *habits*, or modes of behaviour, shew she was not afraid of losing him. "Habit" then meant, no doubt, what it still means in English, and what the French now expresses by *habitude*. Yet the Scotch translator renders it "clothing," and makes her "clothing" shew how ~~little she was~~ afraid of losing him.

(7) "Elle a eu," French, has had; "hes," Scotch.

(8) This, and what follows, shews an interval of time to have come in, betwixt the pretended commencement of Mary's love for Bothwell, and the pretended date of the sonnets; and Lady Bothwell to have pretendedly written him some fine letters in the interval, in order to draw him off from Mary.

VI.

“ Et maintenant elle commence a voir,
“ Qu'elle estoit bien de mauvais jugement,
“ De n'estimer l'amour d'un tel amant (1);
“ Et voudroit bien mon amy decevoir

“ Par les escrits tous fardez de scavoir (2),
“ Qui pourtant n'est en son esprit croissant,
“ Ains emprunté de quelque auteur luissant (3),
“ A faint tres-bien un envoy sans l'avoir (4).

“ Et toutesfois ses paroles fardées,
“ Ses pleurs, ses plaincts, remplis de fictions,
“ Et ses hautz cris, et lamentations,
“ On tant gaigné, que par vous font gardées

“ Ses lettres escrites ; ausquels vous donnez foy,
“ Et si l'aimez, et croiez plus que moy (5).”

“ And

" And now scho beginnis to fē,
 " That scho was of verray evill judgement,
 " [Not] to esteme the lufe of sic ane luifer (1);
 " And wald fane dissaif my lufe

" Be wrytingis and paintit leirning (2),
 " Quhilk not the les did not breid in hir brane,
 " Bot borrowit from sum feat author (3),
 " To fenzé ane sturt, and have nane (4).

" And for all that hir paintit wordis,
 " Hir teiris, hir plaincts, full of dissimulatioun,
 " And hir hie cryis and lamentatiounis,
 " Hes won that point, that ze keip in store

" Her letters and wrytingis; to quhilk ze gif
 " traift,
 " Zea, and luifis and belevis hir mair then me (5)."

(1) " De n'estimer," French; " to esteme," Scotch. I have restored the lost negative. It is in Buchanan*.

(2) " Par les escrits tous fardez de scavoir," French, by letters all painted over with learning; " by wrytingis and paintit leirning," Scotch.

* ii. 118.

(3) "Luisant," French; "feat," Scotch.

(4) Lady Bothwell is said to borrow her letters from books, and so, by an excellent feint, send a dispatch without writing one. This is obviously the meaning. But the French, equally in Goodall and in Buchanan, is mis-printed, I apprehend. And it should run thus, I suppose, "envoy" being then used as now in English, "a *faindre* tres-bien un "envoy sans l'avoir." And the Scotch is strangely disfigured, "to fenzé ane sturt, and have nane." "Sturt," says Anderson *, signifies a disturbance or trouble. Yet what a parody of meaning does the whole make? Lady Bothwell, by transcribing her letters from books, feigns a disturbance or trouble, and has none. This indeed is such a wild and excentric unmeaningness of words, so wildly devious from the French, and so excentrically stupid in itself; that this single passage should have convinced the friends of Mary effectually, of the Scotch being a translation in the sonnets, though it is the original in the letters. And I cannot but observe, in deference to truth, that the friends of Mary in this point have shewn nearly as much of *the obstinacy of folly* concerning the sonnets, as the enemies of Mary have done concerning the letters. The Scotchman plainly read "a faint" as I have corrected it, "a *faindre*," and therefore rendered it "to fenzé." He then read "envie,"

* i. 171.

I suppose,

I suppose, for "envoy." And he strangely translates it "sturt."

(5) All this shews the sonnets not to pretend to be written, during the confinement of Mary in Dunbar and Edinburgh castles. She *could* not mistrust Bothwell, even if she had had any regard for him, while he was taking such violent measures to gain her.—"Lettres escrites," French; "letters" *and* wrytingis," Scotch; when the only writings were letters.

VII.

“ Vous la croyez, las ! trop je l'appercoy,
“ Et vous doutez de ma ferme constance,
“ O mon seul bien, et ma seule esperance,
“ Et ne vous puis asseurer de ma foy.

“ Vous m'estimez legiere, qui je voy,
“ Et si n'avez en moy nulle asseurance,
“ Et soupconnez mon cœur sans apparence (1),
“ Vous meffiant a trop grand tort de moy.

“ Vous ignorez l'amour que je vous porte,
“ Vous soupconnez qu' autre amour me transf-
“ porte (2).

“ Vous estimez des paroles du vent,
“ Vous despeignez de cire mon las (3) cœur,
“ Vous me pensez femme sans jugement ;
“ Et tout cela augmente mon ardeur.”

“ Zow

" Zow beleif hir, helas ! I persaif it tó weill,
 " And callis in dout my firme constancie,
 " O myne only welth, and my only hope,
 " And I cannot affure zow of my treuth.

" I fé that ze esteeme me licht,
 " And be na way affurit of me,
 " And dois suspect (my hart) without ony appeir-
 " ing caus (1),
 " Discrediting me wrangoufly.

" Ze do not know the lufe I beir to zow,
 " Ze suspect that uther lufe transportis me (2).

" Ze think my wordis be bot wind,
 " Ze paint my verray (3) hart as it were of waxe,
 " Ze imagine me ane woman without judgement;
 " And all that increffis my burning."

(1) The Scotch has turned " *mon cœur* " into an address, and so left the suspicion without an object,

(2) What other love could even the madness of slander suggest Mary to have had ?

(3) " *Mon las cœur*," French, my *weary* heart; " my verray hart," Scotch; probably, as
very

very is still pronounced *wery* in the north of England, by the pronunciation of that period for *werray*. So we have "*worry* obscuyrly" for *very* obscurely, in the rebel journal*. And we have also "*werray* strangely" for *very* strangely, and "*werray* tymus" for *very* early, in the same journal†.

* Anderson, ii. 271.

† Anderson, ii. 272, and 274.

VIII.

“ Mon amour croist, et plus en plus croistra,
“ Tant que vivray ; et tiendray a grand heur,
“ Tant seulement d'avoir part en ce cœur (1) ;
“ Vers qui enfin mon amour paroistra

“ Si tres-clair, que jamais n'en doutera.
“ [Pour luy je veux tacher contre malheur] (2),
“ Pour luy je veux rechercher la grandeur (3) ;
“ Et feray tant, que de vray congnoistra (4),

“ Que je n'ay bien, heur, ne contentement,
“ Qu'a l'obeyir et servir loyaument.

“ Pour luy j'attendz toute bonne fortune (5),
“ Pour luy je veux garder santé et vie,
“ Pour luy tout vertu de suivre j'ay envie (6),
“ Et sans changer me trouvera tout' une.”

“ My

" My lufe increffis, and mair and mair will
 " incres,
 " Sa lang as I leif; and I fall hald for ane greit fe-
 " licitie,
 " To have only part in that hart (1);
 " To the quhilk at lenth my lufe fall appeir

" Sa cleirly, that he fall never dout,
 " For him I will strive aganis wan-weird (2),
 " For him I will receife greitnes (3);
 " And fall do fa mekle, that he fall knaw (4),

" That I have na welth, hap, nor contentatioun,
 " Bot to obey and ferve him trewly,

" For him I attend all gude fortune (5),
 " For him I will conserve helth and lyfe,
 " For him I defyre to enfew courage (6),
 " And he fall ever find me unchangeabill,"

(1) How strongly does this contradict the letters! In the 3d particularly she says, that she is anxious in "ony thing—yat may preferve and
 "keip zow unto hir, *to quhome only ze appertene*;
 "gif it be fa, that I may *appropriate* that quhilk
 "is wyn." Yet here she avows, that she will be content with a *share* in his affections. So opposite are the letters and the sonnets! When Darnly was

yet alive, when the marriage with Bothwell was therefore at some distance, she demanded the *whole* of his regards. But when Bothwell had now seized her, in order to marry her; when the hour of marriage was hastening as rapidly on the wing, as even the impatience of a youthful fancy could wish; then, even then, she declares herself content to *divide* his regards with Lady Bothwell. So retrograde is her love, and so well calculated

Downwards to climb, and backwards to advance.

—In the Scotch, “*fa lang as I leif*,” is in Buchanan more properly “*fa lang as I fall leif*.”

(2) I have again inserted a lost line in the original.

(3) In the first sonnet, Mary is made to resign up the world for Bothwell; “*Je veux pour luy au monde renoncer*.” But here she “*recerfes*,” as the Scotch calls it from the French, or she seeks for “*greitnes* :” “*Pour luy je veux rechercher la grandeur*.” So inconsistent are even the very sonnets one with another!

(4) “*De vray*,” French; omitted in the Scotch.

(5) “*To attend all gude fortune*,” is a French,
and

and not a Scotch phrase; as has been justly remarked by Dr. Robertson*.

(6) "Tout vertu de suivre," French; "to ensue courage," Scotch. How little did the Scotchman know of the French! Even as little almost, as the Frenchman knew of the Scotch in the letters. And what is very remarkable, and coincides with a slight observation before, he interpreted the French "vertu" in the Roman sense of *virtus*.

* Diff. 34.

IX. "Pour

IX.

- “ Pour luy aussi j’ay jetté mainte larme,
“ Premier qu’il fust de ce corps possesseur,
“ Duquel alors il n’avoit pas de cœur (1);
“ Puis me donna un autre dur alarme,

“ Quand il versa de son sang mainte dragme (2);
“ Dont de grief me vint laisser douleur,
“ Qui m’en pensa oster la vie (3), et frayeur
“ De perdre las ! le seul rampart qui m’arme.

“ Pour luy depuis (4) j’ay meprisé l’honneur,
“ Ce qui nous peult seul pourvoir de bonheur.

“ Pour luy j’ay hazardé grandeur et conscience,
“ Pour luy tous mes parens j’ay quitté et amis (5),
“ Et tous autres respectz sont a part mis;
“ Brief, de vous seul je cherche l’alliance (6).”

“ For

inence AFTER the adulterous act with her, and that this adulterous act is allowed to have been a RAPE. She poured out many a tear, she says, when he made himself possessor of her body, at a time when he had not obtained her heart. The words are very clear. They are also very expressive. The rebels themselves acknowledge here, that Bothwell committed a RAPE upon Mary. This is a very material fact, in the history of her life. By this, and by this alone, can she be vindicated. And this will vindicate her amply. Yet modern history has past over this incident, "smooth-sliding without step*;" or, where she has rested upon it, she has considered it purely as a seduction†. *That* is unpardonably faulty. And *this* is culpably indistinct. A seduction, and a rape, are very different in themselves and in their consequences. The one implies, the other precludes, a concurrence of the will in Mary. The one still leaves her criminal; though in a lesser degree, than if she had come a votary to voluptuousness in the hour of freedom. But the other absolves her from all guilt whatever. To the imprisonment of her person, it adds violence to her modesty. It debars all consent. Its very essence lies in force. And all the censure for the deed rests entirely upon the head of Bothwell. In this light do the very rebels here exhibit her. He had taken a brutal possession of her body. But her heart was all averse to him. And she shed many a tear at her dreadful situation.

* In Dr. Robertson.

† In Dr. Stuart.

This therefore OVERTHROWS ALL THE LETTERS, and THE TWO CONTRACTS, at once. No such intercourse, as is there intimated, *could* have subsisted at the time, these contracts and those letters pretend to be written. This is even acknowledged by the rebels themselves, in the present passage. At the King's sickness in Glasgow, at the Queen's journey to Stirling, no sexual intercourse had taken place between Bothwell and her at all. It first took place in an act of ravishment, during the confinement of her person by Bothwell, in the end of April and beginning of May afterwards. And the Queen wept and lamented over the degradation, into which she was reduced by the high enormity of her seizure, by the much higher of the rape upon her, and by the total helplessness of her situation under both. Indeed he must have a heart, steeled by party or by insensibility to all the best feelings of our nature, who does not sigh over a woman and a Queen, beautiful, elegant, and refined, so imprisoned, so un-friended, and so treated*.

Nor was it the smallest part of her misery, that the main point of it was of such a peculiar nature, as she could not well reveal. She was even obliged to marry the ravisher, because he had been a ravisher. She had *then* a double reason for not revealing it. It concerned the fortune, and even

* Accordingly Buchanan, in his bold way of *creating* a world of history out of old materials, mentions this fact, but at another and much earlier period; and says, that Bothwell "*forcht* 'hir aganis hir will forsuith," p. 8, Anderson, ii, "*eam involuntam vi compressit*," Jebb, i. 239.

the life, of her husband, to throw a shade over it. Yet, in addition to all, she was openly accused of a long intercourse of antecedent *adultery* with the *ravisher*, of *murdering* Darnly in order to secure the *after-ravisher* to herself, and, still more contradictorily, of having concerted a plan with him for her own seizure, for her own *ravishment*, and for her own marriage; as if she could not have married him, without either the seizure or the rape preceding. And, under this senseless accusation, has the memory of that peculiarly unfortunate woman been now labouring, for two hundred years; even though *the very papers*, alledged in *proof* of her guilt, did here *acquit* her *completely* of all.

I wish only to add one remark, concerning the Queen's crying. She is said to have shed "many "a tear." This is quite in character. She had that hysterical propensity to crying in the hour of anguish, which the delicacy of the female organization often gives to women, and which is generally their best relief from their feelings. "At St. Johnston's," says Randolph in a letter of September the 24th, 1561, "she was well received," in her first progress through the kingdom, "and presented "with a heart of gold full of gold; I know not to "what value: she liked nothing the [Protestant] "pageants there; they did too plainly condemn the "errors of the [Popish] world: as she rode in the "street, she fell sick, and was born from her horse "into her lodgings, not being far off, *with such sudden passions as I hear she is often troubled with,*

G 2

"after

"after any great unkindness or grief of mind*."

Accordingly we see her in Le Croc's letter from Stirling, December 23, 1566, "laid on the bed, "*weeping sore*" for her husband's strange behaviour at the baptism of their son †. And here we see again another touch, of this hitherto unnoticed part of her character.

(2) This tells us a very curious anecdote concerning the ravisher. After the rape, finding the Queen highly indignant at the brutality done her, he actually stabbed himself. It was no pretended wound, that he gave. It was a real one. And he shed many a "drachm" of blood from it.

(3) This also intimates, that Mary was in danger of dying with grief, while she was kept under confinement by her ravisher.

(4) This again shews the pretended regard of Mary for Bothwell, to have *confessedly* arisen since the rape, "*depuis*." It is highly ridiculous indeed in any of our writers to suppose, as all have supposed before Dr. Stuart, that Mary could ever have a regard for him. The rape might make the marriage necessary to her honour. The seizure, the bond, and the inactivity of all her friends under her captivity, might make it necessary to her prudence. But the effrontery of the seizure, and the brutality of the rape, must have given her a violent disgust against him.

(5) Since the love that arose in her breast, after Bothwell's self-inflicted wound; she has for him

* Keith, 190.

† Ibid, Pref. vii.

despised

despised honour, she has for him hazarded greatness and conscience, and she has for him *quitted* all her relations and friends. This implies an interval of time to have passed, betwixt the ravishing, which was prior to the wound, and the writing of the present sonnets; an interval, in which the wound had been given, in which she had despised honour, in which she had hazarded greatness and conscience, and in which she had quitted her relations and friends. But how could she have done any of these things, since the ravishing? How could she particularly have *quitted* her relations and friends, since it?

(6) This concurs to shew, that she is not yet married to Bothwell.

X.

“ De vous, je dis, seul soutien de ma vie,
“ Tant seulement je cherche m’assurer ;
“ Et si ose de moy tant presumer,
“ De vous gagner malgré toute l’envie :

“ Car c’est le seul desir de vostre chere amie,
“ De vous servir, et loyaument aimer,
“ Et tous malheurs moins que rien estimer,
“ Et vostre volonté de la mienne fuivré.

“ Vous congnoistrez, aveques obeïssance (1),
“ De mon loyal devoir n’obmettant la science,
“ A quoy j’estudiray, pour tousjours vous com-
“ plaire (2),

“ Sans aimer rien que vous, sous la subjection
“ De qui je veux, sans nulle fiction,
“ Vivre et mourir ; et a ce j’obtempere (2).”

“ Of

" Of zow, I say, only uphalder of my lyfe,
 " I only feik to be affurit;
 " Zea, and dar presume ~~sa~~ mekle of myself,
 " To wyn zow in spite of all invy :

" For that is the only desyre of zour deir lufe,
 " To serve and lufe zow trewly,
 " And sa to esteeme all wan hap les then nothing,
 " And to follow zour will with myne.

" Ze fall knaw, with obedience (1),
 " Not forzetting the knowledge of my leill dewtle,
 " The which I fall study, to the fine that I may ever
 " pleis zow (2),

" Loving nathing bot zow, in ye subjection
 " Of whom I will, without ony fictioun,
 " Leif and die; and this I consent (2)."

(1) This line is not very intelligible. But I suppose it to mean, that Bothwell should know what she had said before to be true, together with her obedience.

(2) How could any of Mary's friends, for one scruple of time, suppose the Scotch of either of these lines to be the original?

XI.

" Mon cœur, mon sang, mon ame, et mon
 " fousy,

" Las ! vous m'avez promis qu'aurons ce plaisir

" De deviser aveques vous a loisir,

" Toute la nuit, ou je languis icy (1),

" Ayant le cœur d'extreme paour tranfy,

" Pour voir absent le but de mon desir (2).

" Crainte d'oublier un coup me vient saisir (3) :

" Et l'autre fois je crains que endurci

" Soit contre moy vostre aimable cœur,

" Par quelque dit d'un meschant rapporteur (4) :

" Une autre fois je crain quelque aventure,

" Qui par chemin destourne mon amant,

" Par un fascheux et nouveau accident (5) :

" Dieu, destourne tout malheureux augure !"

" My hart, my blude, my faule, my cair,
 " Helas ! zow had promysit yat I fuld have yat
 " plesure,
 " To devise with zow at leyfure,
 " All the nicht, quhair I ly and languishe heir (1),

" My hart being overfet with extreme feir,
 " Séing absent the butt of my desyre (2).
 " Feir of forzetting sumtyme takis me (3):
 " And uther tymes I feir that lufesum hart

" Be not hardinit aganis me,
 " Be sum sayng of ane wickit reporter (4):

" Uther tymes I feir sum aventure,
 " That be the way suld turne abak my lufe,
 " Be sum troublous and new accident (5) :
 " O God, turne abak all unhappy augure !".

(1) This plainly intimates to us, that Bothwell was now absent from Mary, and that the sonnets were sent as a poetical epistle of love to him. But "to devise," Scotch, is absurdly put to answer "de deviser," French, which means to converse together.

(2) In the stanza before, we know that Bothwell is absent, because Mary complains he has broken his promise of sleeping continually with her, and has left her to languish in a solitary bed. But here we are expressly told, that he is absent.—“Tranfy,” French, which signifies *benumbed*, is rendered “over-
“set

set" by the Scotchman. He seems to have gueffed at the meaning from the analogy. And we have feen him before, much better acquainted with the Latin than the French.

(3) This alfo shews Bothwell to be absent.

(4) This alfo shews it. But the Scotch has interpolated "not," in direct contradiction to the sense.

(5) This alfo shews him to be absent, and on his expected return to her. And the word "aventure" in the Scotch, concurs with a variety of words before, and with the whole complexion of the Scotch, to demonstrate it a translation from the French; a translation, that reflects the features of the French so strongly, as prevents it from being ranked for Scotch; and yet necessarily throws such a Scotch air over the features of France, as precludes us from taking them for French.—"Ælia
"Lælia Crispis, nec vir, nec mulier, nec andro-
"gyna,—sed omnia."

XII.

" Ne vous voyant felon qu'avez promis,
 " J'ay mis la main au papier pour escrire (1),
 " D'un different que j'ay voulu transcrire (2).
 " Je ne scay (3) pas quel sera vostre advis ;

" Mais je scay bien qui mieux aimer scaura,
 " Vous diriez bien qui plus y gaignera (4).

" Not féing zow as zow had promysfit,
 " I put my hand to the paper to wryte (1),
 " Of ane difference that I have willit copy (2).
 " I cannot tell (3) quhat fall be zour judgement ;

" Bot I knaw weill quha can best luse,
 " Ze may tell quha fall wyn maist (4).

(1) This shews Bothwell to have staid beyond his expected time, and Mary to have therefore sent the sonnets as a letter to him.

(2) This means, as far as I can catch a glimpse of the meaning through the mist about it, that she wished to address herself to him on his delayed return, with complaints concerning his absence, an absence so contrary to his promise. These complaints she calls " an difference " or " ane difference " between

between them. This was the reason of her writing. On this therefore she wished to expatiate. And to expatiate upon it, by a harsh and absurd mode of expression she calls a "transcribing" or "copying" it.

(3) "Je ne scay," French; "I cannot tell," Scotch.

(4) The sonnets pretend a voluntary intercourse of adultery, to have been carried on by Mary with Bothwell. In this they agree entirely with the letters. But they differ totally from them, in the main circumstance of this adultery. So continually on the wing is the dæmon of calumnious forgery, spying out new combinations of calumnies, and flitting from one forgery to another! And so peculiarly is this worst spirit of wickedness, "like the *troubled sea, when it cannot rest, whose waters cast up mire and dirt!*" The letters suppressed all idea of the rape, by building themselves upon the surmise of an adultery antecedent to the date of the rape. They *thus* prove themselves to be spurious at once, and add one more to the many proofs of their spuriousness, which we have already. The sonnets therefore deserted this treacherous soil, and came back to the solid ground of fact. They founded themselves upon that rape, which the letters had buried under their own rubbish. But then, to adduce any thing like a charge of criminality against Mary, they were obliged to borrow the fictitious tale of adultery from the letters, to give it a new origin, to assign it a later date, and to subjoin it to the

the

the genuine story of the rape. And the sonnets thus form a middle line, betwixt the truths of history and the falsehoods of fiction; taking a part from both, reflecting the light of truth in the rape,—presenting the shades of falsehood in the adultery; and shewing their own forgery the more conspicuous, by the striking opposition between them.

I have a little before given a new touch of Mary's character. But, to lend a fullness and a roundness to this stroke of the pencil, I must add; that the anguish of mind, which relieved her by discharging itself at her eyes, had a previous tendency to throw her into fits of fainting. So, in Randolph's letter preceding, "as she rode in the street, *she fell sick, and was born from her horse into her lodgings.*" And she was affected in the same manner, when she went over to the rebels at Carbarrie Hill, and when those fiends *first* peeped out from behind the visors of the saints. Seeing the infamous standard always borne before her, says Buchanan, "*animo linguente, ægré ne ex equo caderet, sustenta fuit* *."

* Hist. xviii. 364.

SINCE

SINCE I wrote the notes above, I have procured from Edinborough the "Remarks on the History of Scotland, by Sir David Dalrymple," now Lord Hailes. I find he has anticipated me in some slight observations, which I have made here. I find he has also made others, of which I envy him not the possession. His heat of prejudice against Mary, has warped his judgment much. He becomes disingenuous and perverse, under the malignant influence. And indeed I must say, from the full conviction of my mind, that there is not a *single* enemy of Mary's, whom I can honestly pronounce to act upon fair and dignified principles towards her.

To one unfair observation I wish to speak particularly. It relates to the memorable passage in the ninth sonnet. I must repeat the words, for the more perfect satisfaction of my reader. They run thus in the French :

"Pour luy aussi j'ay jetté mainte larme,
 "Premier qu'il *fust* * de ce corps possesseur,
 "Duquel alors il n'avoit pas le cœur," &c.

* or, *il se fust*.

These

These words speak too plainly of the rape committed upon Mary, not to be understood by every man who chooses to understand them. And the Scottissh translation, which, *as to the fact alluded to*, is equally authentic with the original itself, speaks still more explicitly in these terms :

“ For him also I powrit out mony teiris,

“ First quhen he made himself possessor of ~~my~~

“ body, .

“ Of the quhilk then he had not the hart,” &c.

The translation and the original thus unite to ascertain the meaning of the lines, beyond a possibility of unbiassed doubt. Yet Sir David endeavours to divert the passage from its purpose, and to make it allude—to what?—to *Bothwell's sleeping with his wife*, upon his marriage to her *. This is obviously such a preposterous effort of criticism, as would create *quodlibet ex quolibet*. It is the mere juggle and legerdemain of controversy. And, what is more, it is HISTORICALLY FALSE.

It supposes Mary to have had a violent affection for Bothwell, even *at the very time of his marriage to his wife*. But that this supposition is fundamentally false in fact, is apparent from the testimony of one of Mary's bitterest enemies. It appears from Randolph's own letters to Cecil.

The attachment of Mary to Bothwell from his fidelity to her mother and her, appears very early in those dispatches. But the honourable firmness of

* P. 211—216.

Bothwell,

Bothwell, in adherence to his own principles, and in opposition to the Queen's, appears as early in them. Even on December the 7th, 1561, Randolph says of both, that, "at the *dirige* or mass upon Friday and Saturday last,—she observed the old manner in all her doings;" yet "she could not persuade nor get one lord of her own to wear the *deule* for that day, nor so much as the Earl of Bothwell*." But his steady zeal for Protestantism could not procure him the good opinion of Randolph, because he continued loyal to his Sovereign, when he was averse to her religion. Randolph accordingly speaks of him on the 10th of April, 1563, with all the harshness of a man, who considered the profession of Protestantism, as merely a long cloak to hide the cloven-foot of treason. "The Queen," he says, "knoweth now that the Earl Bothwell is sent for to London," when, on his flying out of Scotland by sea, he was cast upon the shore of England.†:—"I know that she thinketh much, that he is not sent into Scotland: it is yet greatly doubted, that, if he were here, he would be reserved for an evil instrument:—there comes a vulture in this realm, if ever that man come again into credit‡." And yet Bothwell was actually at this very period, and for some years after it; even till he renounced his loyalty, embarked in treason with those arch-traitors, Murray, Morton, and Lethington, and became as genuine a protestant, and as great a knave, as they; a very extraordi-

* Keith, 207.

† Ibid, 248.

‡ Robertson, ii.

dinary favourite with the main body of the nation. He was then, says a cotemporary memoir-writer, "the darling of the common people for his courage and liberality;" and he was also "the envy of the court." Even as late as October 1566, "James Hepburne Earl of Bothwell," says the same writer, was "a man as yet *generally* esteemed and *applauded*." And, as he also adds concerning a prior period of his life, Bothwell "was unanimously chosen general to the army, when very young, merely upon the score of his bravery *."

Bothwell, then, was a favourite equally with the Queen and with the nation, before he confederated with the knaves above, and laid all his loyalty at their feet. He was not more a favourite with the Queen, than with the nation. He was even less. In 1563 she put him in prison, on a charge of "conspiring to kill the Queen, and those in credit about her †." On the 4th of March 1564-5 Randolph tells us, that "Murray of Tillibarden" is "come from Bothwell out of France, to sue for some favour, either liberty to return, or means to live there: *they think him worthy of no favour ‡.*" And on the 15th he adds, that "*the Queen misliketh Bothwell's coming home, and hath summoned him to undergo the law, or be proclaimed a rebel: he is charged to have spoken dishonourably of the Queen, and to have threatened to kill Murray and Lidington: David Pringle, one of Bothwell's servants, will verifie it §.*" Bothwell obeyed

* Crawford, 42, 2, and 53. † Keith, 269, 248, and 240.

‡ Ibid. 269.

§ Ibid. 270.

the summons. He returned into Scotland. The 3d of May was the day fixed for his trial. Argyle, the hereditary judge, and Murray, his malignant prosecutor, came to the court with an army of retainers, amounting to FIVE THOUSAND men, all horse. Alarmed with this formidable appearance of force, and dreading the violence which it obviously threatened, Bothwell did not surrender himself to trial. And of course he was condemned for non-appearance. But the Queen saw the policy of Murray, too gross in this grand measure of terror; to suffer all the advantages, which he meant to be taken of it. She ordered the justice-clerk, not to prosecute the sentence of outlawry against him*. Yet he was obliged to retire into France again, and to remain there for some time. Then Murray beginning to unsheath his tiger-claws, and to display his tiger-fangs, in the act of rebellion against Mary; she naturally began to recall such as had opposed him, and had been driven into banishment for the act. Bothwell was one of these. On July 4th, 1565, "it is saide," Randolph informs us, "that the Earl Bothewell and Lord Seton are sente for, which hath appearance of trothe, and

* Keith, App. 160. The connection of this fact with the preceding, has never been attended to before. The number of armed men here, is also given all to Murray, by Robertson, i. 326, and Stuart, i. 92. The latter therefore very reasonably reduces the number, with Knox, to 800. But Randolph's number is Argyle's, as well as Murray's. "The Earls of Argile and Murray," he says, "came to Edinburgh with 5,000 horie." And Knox's number is only the separate amount, probably, of Murray's own.

"[they]

"[they] are knowne to be feet [fit] men to serve
 "in thys worlde*." On July 19th he adds with
 more certainty, that "the letter to revoke the Earle
 "Bothwell was subscribed, within these three
 "dayes†." He and Sutherland accordingly re-
 turned, in a few weeks afterward‡. And Bothwell
 re-appears in council for the first time, on the
 10th of October following; when the Queen's
 army was now near to Dumfries, and advancing
 upon the collected body of the rebels there; and
 when it was settled, that the main battle should
 "be led be the Kingis Majestie's selfe, being ac-
 "cumpanyit with the Erlis of Mortoun, *Bothwell*,"
 &c §. So little was Bothwell a favourite with the
 Queen, while the hand of Murray retained those
 reins of authority over her, which he had half wrested
 and half received from her!

Before the recall of Bothwell, Mary had been
 married to Darnly. She was married on July 29th,
 1565, two or three months before. Her affection
 for Darnly was warm and lively. Nor was it ever
alienated from him, *till* he engaged in the murder of
 Rizzio on the 9th of March, 1565-6. "Well," she
 then cried to this mere *Vandal* and *Hun* in all friend-
 linefs, on her instant agony of anguish at the fact,
 "you have taken your *last* of me and your *fare-*
 "*well* ||." But Bothwell was also married in the
 month *immediately preceding* **. And in this very

* Keith, Hist. 295.

† Ibid, 302.

‡ Ibid, 310.

§ Ibid. Appendix, 115, and Hist. 316.

|| Robertson, ii.

356.

** Tytler, 3d edit. Appendix, 25—26; and Ro-

bertson, ii. 450.

month we know for certain from Randolph himself, that Bothwell again played the same game which he had played before, by again refusing a compliance with the ceremonies of the Queen's religion; and that for this conduct, which shews an uncommon degree of reverence in him for his own principles of faith, he was so far from being an object of *violent* or of *any* love to Mary, as actually to be disliked, and actually to be frowned upon, by her. "The Queen of Scots hath said openly," as Randolph informs us in a letter of February 5th, 1565-6, "that she will have mass free for all men that will hear it; *her husband, his father, Lord Athole, and others, now daily resort unto it; the Protestants are in great fear and doubt, what shall become of them* *." — "Upon *Candlemas Day*," adds Randolph more circumstantially on February 7th, "there carried their candles with the *Queen*, in the Popish procession usual on the day, *her husband, the Earl of Lennox, and Earl Athol; divers other lords have been called together, and required to be at the mass that day; some have promised, as Cassels, Mongomerie, Seton, Cathness; others have refused, as Fleming, Levingston, Lindsay, Huntley, and Bothel: and of them all Bothel is the stoutest, but worst thought of* †." Bothwell therefore, at this time, was less obsequious to Mary, and more out of favour with her, than even Darnly himself. He had also been less complying

* Goodall, i. 274.

† Robertson, ii. 354.

with her religious prejudices, than many of the peers. He had even been more resolute in his refusal to comply, than any of them. He was too little a Papist, to concur with the Popish lords. He was too much a Protestant, not to give a more peremptory denial, than any of the Protestant nobility did. He thus persisted in all that firmness of adherence to principle, which he had evidenced before his banishment. He persisted in it, notwithstanding all the additional solicitations of *gratitude* for his recall. And he even stood forward with a *peculiar* strain of bravery, to oppose the Queen in a favourite measure. In consequence of all, he was *peculiarly* an object of Mary's dislike at the time. Yet this, this is the very time, in which Sir David, *unhappily crossed by his stars*, makes Mary to have had a violent love for Bothwell.

I might indeed have spared myself the trouble, of proving this against him. His whole argument consists merely of a *supposition*. I might therefore have left it to float in air, by its own levity of nature. Sir David *supposes* the truth of one calumny, in order to *prevent* the detection of another. And his conduct shews us the ready wantonness of calumnation, which actuates even the more prudent, and the more honourable, adversaries of Mary at present: which impels them, in spite of their honour, to stand out against the plainest proofs: and which induces them, in spite of their prudence, to throw up fresh works of slander, in order to fortify the old; to retire from argument into supposition; to add one weak supposition to another; to continue

the warfare by petty efforts, when they can no longer maintain it with vigour; and so to proclaim their own disgrace, and the disgrace of their cause, the more loudly to the world.

I say this, in a necessary vindication of the character of Mary from the insinuations of prejudice. But I shall not urge Sir David any farther. I should naturally have done so, because he is alive to defend himself; and have exposed the equal airiness, of some other points in his work. But, having refuted his main argument, I think myself precluded from assailing the rest, by the declaration which he has made; that, whoever attacks his hypothesis, he will not defend it*. A brave man cannot condescend to push his success against a champion, who in the same moment gives the challenging blow, and declines the provoked combat. I shall therefore dismiss him with an anecdote, concerning an antagonist similar to himself. A French gentleman attacked the late Mr. Swinton of Oxford, upon one of his papers in the Philosophical Transactions. Like Sir David, he put forth all his strength in the attack. Like him too he declared, that, if the other replied, he would not rejoin. Mr. Swinton did reply. And though in the printed copy he was induced by Lord Moreton, then president of the Royal Society, to suppress what the latter too prudishly thought a national reflection; yet in the MS. he inserted this stroke of humour, the only one which

* P. 219.

I remember to have come from Mr. Swinton, that such an attack, and such a declaration, reminded him of his antagonist's countrymen at the battle of Dettingen, who gallantly advanced up to our troops, threw in all their fire, and then—**RAN AWAY.**

CHAPTER THE THIRD.

HAVING noticed all the circumstances in these sonnets, which can serve to ascertain the chronology; I now proceed to shew the insufficiency of them for that purpose. They are so incompatible with one another, and with history; that no date can be founded upon them. And they therefore prove the spuriousness of the sonnets, in the most satisfactory manner.

The sonnets are plainly one letter, written and sent at one period of time. This appears from some of them running into the others, from the general connection that spreads through many or most of them, and from the last of them forming obviously a conclusion to all. And the rebels accordingly instructed the commissioners at Westminster, to consider them all as ONE sonnet*.

They were then, and at their first publication, *prefixed* to the Glasgow letters; as if they were antecedent to them in time. Accordingly Buchanan takes care to inform us, that they were "writtin be
"ye Quene of Scottis to Bothwel,—as it is said,

* Appendix, N^o viii.

"quhile hir husband levit." Yet, that the date of them is posterior, is evident from the whole tenor of them. And accordingly Buchanan says also, in a more sober strain, that they were written "befoir" "hir mariage with him, and—befoir his divorce "from his wyfe."

But at what period before the marriage must we fix them? In that between the seizure and the marriage, say Lord Hailes and Dr. Stuart. Many circumstances indeed concur to assign this, for the interval in which they pretend to be written. But some forbid it. The grand act of ravishment, which we know to have not taken place till the seizure, seems to fix the sonnets decisively to this interval. Yet the ABSENCE of Bothwell, which is made the very cause of writing them, necessarily carries us to a later period.

In all the time of Mary's captivity within the walls of the two castles, Bothwell never left her. It would have been infinitely absurd indeed, for him to have done so. He had committed a deed, which nothing but the bond of the nobility, the secret solicitations of Morton, Lethington, and the other traitors, the folly of his own head, and the corruptness of his own heart, could have put him upon executing. And nothing but the humiliation of Mary, by the violation of her modesty; and by the consequent compulsion of her into matrimony, for the reparation of her wrongs, and for the satisfaction of her delicacy; could now save it, from turning to his utter ruin.

The *day after* he had procured the bond of association

ciation for his marriage with her; he waited upon her, made a distant intimation of his hopes, but suppressed all mention of the bond. Mary instantly gave him such an answer, as dashed all his proud expectations at once. He became desperate. He had originally fancied, that he had nothing to do, but to court and to marry the Queen. In this he found himself dreadfully mistaken, as his pretended friends and actual impellers, most probably, foresaw he would be. He therefore resolved to have recourse to an act, which the wild turbulence of the Scotch at the time, rendered too familiar to the minds of their barons; and which was pretty sure to be the next step, in the operations of a man, so daring, so silly, and so stimulated. The bond "being anis" "obtenit," says Mary herself concerning this hitherto unnoticed part of her history, "he began" "a far off to discover his intention to us; and to" "assay, if he mycht be humill fute purches oure" "gude will; but finding oure answere nathing cor-" "respondent to his desire,—he resolved with him-" "self to follow furth his gude fortoun; and, *all re-*" "*spellis laid apart, ayther to tyne all in ane hour, or*" "*to bring to pas yat thing he had takin in hand* *." He accordingly resolved upon seizing her. He even determined upon *ravishing* her. "He con-" "veyed her," say Crawford's Memoirs in MS, "by force, as appeared, to the castle of Dunbar, *to*" "*the end he might enjoy her as his lawful*" "spouse †." He even *declared* as much, in the

* Anderfson, i. 94—95.

† Keith, 383.

first moments after the seizure. Let us hear Melvill's intimations, concerning the seizure and the rape. They are little known. And even *Scotch* writers appear to have been so far imposed upon, by the equivocal meaning of the word *ravishment* in Scotch, as to confound the rape and the seizure together, and to sink the former entirely in the latter. "Shortly after," says this historian, who in general gives a negligent, confused, and self-conceited account of things, but who merits all credit upon the present occasion, as he was actually with the Queen at the time, "her Majesty went to Stirling, and in her back-coming—the Earl of Bothwell ran—countered her with a great company, and *took her Majesty's horse by the bridle*; his *men* took the Earl of Huntly, the secretary Lidington, and me, and carried *us* captives to Dumbar; *all the rest were permitted to go free*," with a view plainly to the rape. "There the Earl of Bothwell boasted he would marry the Queen, *who would or who would not*; yea, WHETHER SHE WOULD HERSELF OR NO." This must have been the very day of the seizure, as "the next day," adds Melvill, "I obtained permission to go home*." Huntly and the secretary, no doubt, were permitted to go home immediately afterwards. The rebels by a proclamation on the 12th of June say, that the Queen was left "destitute of all COUNSALE and SERVANTS†." The Queen also says herself, that she was "in his puissance, sequestrate from ye com-

* P. 79—80.

† Anderson, i. 131.

"pany of all her SERVANTS and OTHERS, QUHOME-
 "OF SHE MIGHT ASK COUNSALE *." And, as Mel-
 vill soon remarks with a judicious explicitness, that
 is peculiarly wanted in this period of the history,
 and that has since been frittered away by a spirit of
 delusive refinement, "*then the Queen could not but*
 "*marry him, SEEING HE HAD RAVISHED HER, AND*
 "*LAIN WITH HER AGAINST HER WILL †.*"

Bothwell's union with Morton, Lethington, and
 the other traitors, in the horrid murder of Darnly,
 shews him to have been capable of any atro-
 cious villainy. His taking the principal exe-
 cution of that villainy upon himself, proves him
 to have been a mere instrument of mischief in
 their hands. He therefore saw not the sure conse-
 quences, of either the murder or the seizure. He
 thought, no doubt, that they, who had supported
 him in the one, would equally support him in the
 other. And he boasted at the very outset, we
 see, that he *would* marry her, *who would or who*
would not, and even, *whether she would herself or no*,
 even though she should still persist in her refusal
 of him. But, when he came to the *immediate* exe-
 cution of his purposes, he very naturally began in a
 different manner. He had coolly resolved upon a
 rape. Yet even *his* brutal soul recoiled at the act.
 The intended ravisher was again turned into the
 humble suitor. "In quhat part we tuke yat
 "*manner of dealing,*" says Mary herself concerning
 the seizure, "*bot speciallic how strange we fand it*

* Anderson, l. 97.

† P. 80.

"of him, of quhome we doubtit les yan of any
 "subject we had, is easie to be imagined. . . Being
 "yair," at Dunbar, she adds, "*we reprocht him*
 "ye honour he had to be sa estemit of us, ye fa-
 "vour we had alwayis schawin him, his ingratitude,
 "*with all uther remonstrances quhilk mycht serve to*
 "*red us out of his bondis.*" And "albeit," she says,
 "we fand his doing rude, zitt were his answere and
 "wordis bot gentill." He begged pardon for his
 boldness. He pleaded necessity for it. "He was
 "drevin be force, als weil as constrainit be hife, ye
 "vehemeny quhair of had maid him to sett apart
 "ye reverence, quhilk naturallic, as pure subject,
 "he bure to us; as, alwa for saiftie of his awin
 "lyff." He had met with so many enemies, he
 was still so sensible of the malice secretly working
 against him, "yat he could not find himself in sur-
 "tie, without he were assurit of oure favour to in-
 "dure without alteration; and uther assurance yair-
 "off could he not lippin in [depend upon], without
 "it wald pleis us to do him that honour to take
 "him to husband." And he "protested alwayis,
 "yat he wald seek na uther sovereignty bot as of be-
 "foir, to serve and obey us all the dayis of oure
 "lyff; joyning yairunto all ye honest language,
 "yat could be usit in sic a caifs." But still finding
 himself unlikely to succeed, he at last produced the
 bond, and shewed it to her. She was thoroughly
 astonished at the sight. "Quhen he saw us lyke to
 "*reject all his sute and offeris, in the end he schowed*
 "how far he was procedit with oure hail nobilitie
 "and principallis of our estaittis, and quhat thai had
 "promessit

"promeist him under yair hand-writtis: GIF WE
 "HAD CAUS YAN TO BE ASTONEIST, we remit us
 "to ye judgement of ye King, ye Quene, oure uncle,
 "and uthers oure friendis *." She found her
 lords

* This refutes the slanderous quotation in Keith, 383, upon the testimony of which Dr. Robertson very naturally loves to rest (Diff. 19, and Hist. i. 418), and by the account of which "all the way she neither made obstacle, impediment, clamour, or resistance." Some falsehoods indeed refute themselves by their own absurdity. This is one. If Mary had been *really* carried away by collusion, she *would certainly have resisted and clamoured*, in order to maintain the *appearance* of a seizure. She would most probably have clamoured *very loudly*, and have resisted *very strenuously*, in the natural overdoings of hypocrisy. So also, when one of Bothwell's captains took Melvill prisoner, and alledged the whole seizure to be with the Queen's own concurrence, an allegation upon which the Doctor wishes equally to rest (Diff. and Hist. *ibid.*); had it *actually* been with the Queen's concurrence, the captain *would never have been entrusted with the secret*. But when a Queen was to be seized by her subjects, and by *loyal* subjects, such as this captain was; a falsehood of that nature was sure to be suggested, in order to induce them to seize her. And this very captain, being afterwards put to tortures and to death, as one of the murderers of Darnly, did not bring the slightest accusation against the Queen for either the murder or the seizure, and did even acquit her of all blame in both (Keith, 406, and 407; and Lesley's Defence, 77). Accordingly we find, that the Queen shewed strongly by her words, how much she resented Bothwell's seizure of her. She expressed her astonishment peculiarly, at such an act of rebellious presumption in *him*, whom she had hitherto found so eminently loyal. And when she came to repeat the story a few days afterwards, she was so full of her indignation still, that she could not dwell particularly upon it, but was obliged to *leave the whole* to the *imagination* of her friends in France.

Let

lords "befoirhand alreddie zealded to hys apetyre, " and swa herself left allane, as it wer a pray to " him." In this distrefs of mind, " mony thingis," says she, " we revolved with our self, *bot never could find ane outgait* : and zit gaif he us lytill space to " meditate with oure self, evir preiffing us with " continewal and importune sute." She still, however, refused to give him any encouragement. She was in hourly hope, that some of her faithful subjects would come to her rescue. But she was sadly disappointed. The soul of loyalty seemed to be all bound up, as by a spell. Her enemies attributed the seizure to a collusion. Her friends stood all at gaze, not knowing how to consider it, and waiting in suspense for information *. And " in ye end," says Mary, "*quhen we saw na espyrance to be red of him, NEVER MAN IN SCOTLAND ANIS MAKAND ANE MYNT TO PROCURE OURE DELIVERANCE, for yat it mycht appeir be yair handwrittis and silence*

Let me also add, that the grand reason assigned for Bothwell's seizure of the Queen, by the rebels at York (Goodall, ii. 141—142), by Buchanan (Hist. xviii. 356), and by Robertson (i. 418), *in order to obtain a formal pardon for it afterwards from the great seal, and, under it, for the murder of the King, as a lesser offence included in a greater; is as false in fact, as it is wild in appearance. Bothwell never did obtain, never did apply for, such a pardon.* Neither Robertson, nor Buchanan, nor the rebels at York, pretend to assert he did. Had he applied for it, he must certainly have obtained it. Had he obtained it, the rebels would have certainly urged and re-argued the pardon, as a proof positive against the Queen. And thus the grand reason assigned for the act by the folly of Mary's traducers, appears eventually to have been no reason at all. * Crawford's Memoirs, 20.

" at

"at yat tyme, yat he bad won yame all; we weir
 "COMPELLIT to *mitigat* oure displeasure, and *begyn*
 "to *think* upon yat he propounded." She began to
 soften a little, in appearance or in reality. Then
 "he partlie extorted, and partlie obtēinix, her *pro-*
 "*meir* to tak him to her husband." But he still
 thought the promise to be wholly extorted, and the
 softening to be only appearance. In all probability
 they were so. She had practised the same arts with
 success, upon the murderers of Rizzio. And he was
 still on the very verge of ruin. "Fearing *our* *far-*
 "*t alterations*, he wold not be satisfēit with all the
 "just reſsonis we could allege, to have ye *coſſu-*
 "*mation* of ye marriage delayit, as had bene *maill*
 "*reſſonabill*, quhill we mycht communicat ye
 "same to ye King, ye Quene, oure unese, and
 "utheris oure friendis." He grew desperate. He
 recurred to his original resolution, that horrible
 suggestion of despair, a rape. He should thus put
 it out of her power to deceive him. Such is fre-
 quently the base policy towards women, that lies
 lurking at the heart of men! He had even the
 contrivance and the audacity, to execute it. "As
 "be a bravade in the begynning he had wyn ye
 "first point," the seizure; "sa ceased he nevir, thil
 "be perswasions and importune sute, accompiſh
 "neir not ye less with *sorce*, he hes *finallie* *drawn*
 "us to end ye work begun, at sic tyme, —" by
 a marriage so early, "as he thoct mycht best serve
 "his turn *." And in all this period he could

* From the Queen's own account, Anderson, i. 95—99, in
 which

not have left, and did not leave, her for a single moment.

We have even a rebel authority, that he did not leave her while she remained in Dunbar. The rebel journal expressly tells us so. "April 24th," it says,—“Bothwell met hir upon the way, seamit to ravish hir, and tuik Huntly and the Secretarie prisoneris, and led them all to Dumbar, and THAIR REMAINIT TO THE THIRD OF MAY.” He then brought her to Edinburgh castle. But he still left her not. "May 3d," adds the journal, "she wes conveyit be Bothwell and all his freindis, with sperris, to Edinbrough castell, and for fear of accusation [they] kast thair sperris from thame be the way; and the nixt Sunday hir bannis wer proclamit be hir awin precept, subscrivit with hir hand." Yet Bothwell durst not still trust her by herself. He therefore kept her in Edinburgh castle, till the 12th. This day, says the journal, "she cam *with Bothwell* out of the castell to the tolbuyth befor the lordis of session, and tuik hir protestatioun and act thair of hir libertie; and so past *togidder* to the abbay *." He thus permitted her at last to reach the palace of Holyrood-house, to which she was going in peace upon the 24th of April, little suspecting the storm of evils, that was just ready to burst upon her

which the delicacy of the lady, and the prudence of the wife, are in a continual struggle with facts; willing to lay open the whole for her own vindication, yet unable to do it for her own sake and her husband's, and yet doing it in effect.

* Appendix, N° x.

head, and that ceased only with the last moments of her life.

But, even there, how did he treat her? Did he then leave her, and shew less jealousy of her? The rebels shall again tell us. But we must first read their very curious and very remarkable account, of his conduct to her before. It opens a new and astonishing scene of profligacy in him. "How shamefully the Queen our sovereign," they say to Throgmorton on July the 20th afterward, "was *led captive*, and by FEAR, FORCE, and (as by many conjectures may be well suspected) *other EXTRAORDINARY and more UNLAWFUL means*, COMPELLED to become bedfellow to another wife's husband:— is manifest to the world." This carries an intimation of something superlatively villanous and horrible, in the very sound of it. The "extraordinary means" made use of, in *addition to fear and force*; and the means, that *could* be "*more unlawful*" than they; must be some practices of the most diabolical nature. Dr. Stuart, an author who must ever be mentioned with the highest respect by the friends of Mary, and the first who called out this striking passage into notice, supposes *amatorious potions* to be meant by it*. But it means, I doubt not, something very different. It alludes to those practices, which Lovelace actually uses upon Clarissa, STUPIFYING DRAUGHTS. The former are inconsistent with the *fear and force*, to which they are brought in as as-

* Hist. i. 376.

sistants, and even contradictory to the *compulsion*, of which they are said to have been actually instruments. But the latter coincide directly with them, and with the whole history. This passage, therefore, not only confirms the incident of the rape, but also apprizes us of a circumstance in it, that is charged with peculiar guilt. The STUPIFYING DRAUGHTS, ministered by the contrivances of Bothwell to the imprisoned Mary, compleat the picture of his daring flagitiousness and her heroical honour. And let it ever be remembered, that those very rebels, who pretended to have intercepted the letters, sonnets, and contracts, on the *twentieth of June* 1567; and who on them have grounded a charge of adultery and murder against her, of adultery with Bothwell, and of murder for the sake of Bothwell; even they, on the *twentieth of July* afterwards, did formally and authoritatively announce her, to have been a "compelled bed-fellow" to Bothwell; to have been "led captive" by him, and *then* to have been "compelled" by "fear," *then* to have been "compelled" by "force," and *then* to have been "compelled," as from many circumstances they say they conjectured, and as, no doubt, they knew from Bothwell himself, though they could not avow the communication, "by other extraordinary and more unlawful means."—"He had," as the rebels go on, "in three months found such hap in "an unhappy enterprize, that, by the murder of "the babe's father, he had purchased a pretended "marriage of the mother, seized her person in "his hands, environed with a continual guard of

" 200 *barquebuziers*, as well day as night, wherever she went; that if any man had to do with the Prince, it behoved him, before he could come to her presence, to go through the ranks of *barquebuziers*, under the mercy of a notorious tyrant, as it were to pass the pykes *." Under this strict kind of confinement, both before and after the marriage, did the fears of Bothwell keep the unhappy Queen: the fullest evidence in the world surely, of her innocence; so full indeed, that I hope I may be allowed to parody these well-known lines of Shakespeare, and to say,

That had not Heav'n for some strong purpose seal'd
The eyes of men, they must perforce have seen it,
And *Robertson* himself have cleared her.

But upon the 14th of May he brought her before the council. A marriage-contract was there signed by them both. A copy of it was ordered to be registered, in the books of council and of session. And the next day they were married †.

When he had previously gained her promise to marry him, then probably he permitted her to summon a privy council, and to hold it within the castle of Dunbar. Such a council appears to have been actually convened there, upon the 29th of April ‡. She gave her promise the more readily to him, we must suppose, in order to bring him the more easily to her will in this. She was planning her deliverance by it. Her conduct at the assassination of

* Keith, 418, and Pref. xi.
and 250.

‡ Keith, 374.

† Goodall, ii. 57—61.

Rizzio, when she was equally imprisoned as now, and when she lulled her keepers into security by an equally pretended acquiescence in their measures; is the proper illustration of her management, at present. But the same success did not attend her now. She endeavoured probably to enter into private conversation with some of the counsellors, for her rescue. But she would find their zeal for her, all strangely at a stand. Morton, Lethington, and the conspirators with them, if they were there, as there the principals would undoubtedly be, would affect a total indifference concerning her captivity. Huntly and the royalists would be too much stunned with the blow struck by Bothwell, with the affected indifference of the others, and with their own confusion of apprehension concerning the whole; to be able to exert themselves with vigour. She would therefore derive no hope of rescue, from any of her addresses to either *.

* This privy council of *itself* refutes the idle tale reported by Buchanan, Hist. xviii. 356, and contradicted in Crawford, 21, and Anderson, i. 97; of Mary's nobles *sending* to her at Dunbar from *Stirling*, with an offer of forces to rescue her, if she was detained against her will. The nobles could have offered it *in person*. And her pretended answer appears equally idle; that, though indeed she had been taken *against her will*, yet she was kindly entreated now. The rebels, in shaping this story, reflected neither on the repugnancies of it to the privy council held at Dunbar, nor on the direct opposition of it to their own assertion, of the whole seizure being merely a collusion between her and him. If she had been seized *against her will*, then their assertion is a lye. And thus the unskilful architect of falsehoods

Diruit, ædificat, mutat quadrata rotundis;
and never builds to any effectual purpose.

But she would greatly alarm the fears of Bothwell, by all. Her conversation with the conspirators, particularly, would be all betrayed to Bothwell again. And those infernal patrons of the whole wickedness, would turn it all directly against her, and make it hurry him on with impatience, to the full and final consummation of the enormity. He determined upon it. Seduction was utterly impracticable. Even *his* sensualized and licentious spirit, had never suggested to him any hope of that. Even his infernal instigators themselves had never supposed, there was a possibility of success in that. His only resource was violence. It was so at the seizure. It was so now. He had therefore determined upon a rape, then. He therefore determined again upon it, at present. Yet how shall he execute even this? HE MUST DEPRIVE HER OF HER SENSES, before he can. He accordingly mixes up his stupifying draughts. He takes advantage of the insensibility, into which he has thrown her. And he perpetrates the execrable deed.

When she awoke to the full perception of the horrible insult, that had been offered her; her indignation broke out in such a high-toned strain of resentment, that he was rendered madly desperate by it, and made a violent attempt upon his own life. He gave himself a severe wound. And he lost a quantity of blood *. Her own life also was in danger, from the violence of her feelings †. At last, a flood of tears relieved her ‡. She was now ca-

* Sonnets and Notes before.

† Ibid. *ibid.*

‡ Ibid. *ibid.*

pable of reflecting upon her dismal situation. It was peculiarly dismal. What shall she do in it? She cannot but abhor the base and brutal villain. Yet how can she now quit him? Her own modesty, her own majesty, perhaps her own life, require her to smother her resentments. She is humbled enough, to let the last enormity efface the first, and to plead its own pardon in its own audacity. She is compelled to determine, however reluctantly, upon taking the wretched ravisher for a husband. And she must be content, to pass the melancholy remainder of her life with a man, whom she at once despises and hates. "Sen it is past, and cannot be brocht bak agane," after her marriage she says to the King and Queen of France, to whom she wished not to disclose the full extent of her husband's iniquity, "we will make ye best of it*."

It was for this reason, no doubt, that he removed her from Dunbar to Edinburgh on the 3d of May. She had agreed to marry him. And it was requisite therefore, in common decency, to remove all semblance of constraint, to let her appear to her people as at full liberty, and to shew her to them residing again in her palace of Holyrood-house. He set out to conduct her thither. He took not with him his whole force. Some of these he now dismissed, as no longer necessary to his purposes. Of the rest he took only a slight number. Nor would he suffer even these, to

* Anderson, i. 100.

carry arms the whole way. They dropped their arms, as they approached the capital*. And "by the way," say Crawford's Memoirs, "the Queen *behaved herself to the people*, as that Bothwell *was ready to put her at liberty again*, according to the duty of an obedient subject †." He intended it fully. Yet his bad heart, even now, misgave him. He was even still afraid to trust her. So uniformly did he acknowledge her innocence, by his apprehensions! He knew the villainies which he himself had committed, in *conspirence* with Murray, Morton, and Lethington; the murder of the King, complicated by a rape upon the Queen. He had only her fears and her delicacies yet, betwixt himself and his destruction. He suddenly changed his intention, therefore. At the critical moment, he recoiled from the whole purpose of his journey. He dared not to let her go to liberty and her palace. He resolved still to continue her restraint. And he determined to lodge her in the *castle* of Edinborough, of which he had equally the command as of Dunbar castle. Accordingly, as Crawford's Memoirs again inform us, "at the entry of the tower that leads to the castle;" at the Netherbow Port, no doubt, then only a gate and gateway, with a tower over them for a porter's lodge ‡; to which the road from Dunbar directly led, and at which it ran on the right to Holyrood-house,

* Crawford, 22, and N° x. Appendix.

† Keith, 384.

‡ Arnot, 238, and Anderson, ii. 175.

and

and on the left to the castle; "he made semblance "to lead her bridle," that is, as the whole tenor of the story shews, he actually seized her bridle, turned the head of her horse from the right-hand road, into which he had intended to have gone, and led her up the High Street of the city into the castle; "and *sensible* people interpreted the same, "as that he conveyed her Majestie AS A CAPTIVE "into the castle, where a subject of his was, called "Sir James Balfour*." So strongly did he express his diffidence and her captivity, on *this* occasion; Yet no one stirred for her. "At hir going "—to the castell," says Buchanan, "throw the "cheif and maist populous gait [street] of ye towne, "thair was all the way ane sad glowming silence; "and quhen ane woman alone of the multitude "had cryit, *God save the Queen*, ane uther incontinent sa cryit out as all men might heir it, *Sa he "it to every ane as thay have deservit*†." The more judicious part of the citizens saw plainly, that she was a prisoner; but never offered to release her. They were out-numbered by the silly and the prejudiced, who, in the cunning and clamour of folly, asserted boldly, that Bothwell's taking hold of the Queen's bridle was only a "semblance." She was therefore obliged to submit to every insult, to go in at the only opening that appeared to liberty and her crown, and to marry her ravisher and her keeper in one. She now, therefore, set herself in earnest to the work. The day she was brought to

* Keith, 384.
Jebb, ii.

† P. 85, Anderson, ii. and 266,

Edinburgh castle, was a Saturday*. On Tuesday she sent Mr. Thomas Hepburne, a clergyman, with a verbal direction to Craig, the minister of St. Giles's conjointly with Knox †, to have the banns for her marriage published by him. Such an annunciation of an intended wedding, is now confined to the lowest orders of life among us. But it was then requisite, even for kings and queens in Scotland. It had equally been practised, at the union of the Queen with Darnly ‡. It was to be made the three next preaching-days, which very surprizingly were then Wednesday and Friday, as well as Sunday. But the minister properly refusing to take a *verbal* order, in so important a business; upon Wednesday the Queen sent him a written direction, as she had equally done at Darnly's marriage; and equally subscribed it with her own hand. He accordingly published them for the first time, on Friday May the 9th §. Yet even then Bothwell would not venture, to give her her liberty. He still kept her in the castle. So difficult was he of her still! The minister again published the banns, on Sunday May the 11th ||. Bothwell then, and not till then, took courage to execute his purpose of Saturday, May the 3d, before. He brought her before the court of session in the

* Goodall, ii. 249—250.

† Robertson, ii. 376; and

Spotswood, 192, edit. 3d.

‡ Keith; 304.

§ Anderson, ii. 279.

The rebel journal therefore is mistaken, in saying the banns were published the "next Sunday" after May the 3d.

|| Ibid ii. 280.

Tolbooth of the city, the very next day. She there declared her anger at Bothwell, for seizing and detaining her person, to be past; expressed her forgiveness of the offence; avowed herself to be *now* at her freedom and liberty; and intimated her design, to promote the Earl to some additional honours *. She then was permitted by him, to go to her palace. So steadily and resolutely suspicious was he, of her hatred for him, and of her aversion to a marriage with him; that even after the brutal indignity offered her, even after her promise of marriage in consequence of it, even after she had ordered the banns to be published by a note under her own hand; and even after the banns had been actually published no less than twice, he durst not suffer her to leave the castle, and reside in her palace, however necessary it was to his own schemes; until he had bound her up by a formal declaration of forgiving him, and by a formal intimation of promoting him, before some of the principal persons of the kingdom, and in the presence of a court of record. He even then accompanied her to her palace. He even kept his guard of harquebuziers about her, there. He thus maintained a regular consistency of jealousy, as long as he could possibly shew it. Two days afterward the minister published the banns, for the third and last time †. That day, the Queen signed a contract of marriage with Bothwell. And, the very next, they were married.

* Goodall, ii. 242—243.

† Anderson, ii. 281.

During

During this detention of the Queen in Edinburgh castle, a privy council was held there, equally as at Dunbar before. It was held on Thursday May the 8th. Even a second was held there the next day, Friday May the 9th. Bothwell was probably present at both. He was certainly present at the latter. Even one was held afterwards at Holyrood-house, on Wednesday May the 14th. And Bothwell was also present at this *. Yet not a counsellor or a citizen, not a man, a woman, or a child, lifted up a single hand to rescue her. She even appeared before the court of session, on Monday May the 12th. There the Earl of Huntly, the Bishop of Ross, the Bishop of Galloway, and the Bishop of Orkney; Gavin Hamilton, commendator of Kilwinning, Sir James Balfour, Sir Richard Maitland, and Sir John Bellenden; secretary Lethington, the Archbishop of St. Andrews, the Bishop of Dumblane, the Earl of Crawford, and the Earl of Caithness; John, commendator of Aberbrothick, Alexander, commendator of Culross, Robert, commendator of St. Mary Isle, and treasurer to her Majesty, Lord Seton, Lord Boyd, and the Provost of Edinburgh; were all present. Yet not one of these reached out a single finger to save her, though they saw her floating on the stream, and driving down with the current. Huntly, who must be considered as the head of the loyalists, now Bothwell has gone over to the factious, had been in Edinburgh ever since the seizure; and had even been holding the

* Anderson, ii, 280, and 281; Keith, 384; and Goodall, ii, 57—61.

court of session there, as if the Queen was at full liberty all the while*. Even when Craig the minister on publishing the banns, with all the arrogance of vulgarity then prevailing among the ministers, "tuik heaven and erth to witnes, that he "abhorrit and deteastit that mariage;" he acknowledged at the same time, "that the BEST part "of the realme did approve it, ather be *flatterie* or "be thair *silence*†." The factious nobles were continually urging the Queen, to the marriage; and the loyal peers stood by, confounded and mute, "A number of noblemen," says Melvill, "were "drawn together in a chamber within *the palace*," and consequently on or after May the 1st, "where "they all subscribed a paper, declaring that they "judged it was much the Queen's interest to marry "Bothwel, he having many friends in Louthian "and upon the borders, which would cause good "order to be kept‡." Those, says Lesley, "whereof some are now the vehement and hott "fault-finders, and most earnest reprovers and "blamers of the said pretended mariage, were then "the principal *inventers, practisers, persuaders, and "compassers* of the same. They procured a great "part of the nobilitie, to sollicite the Queene to "couple herself in mariage with the said Earle§." So necessary was it to *urge* and *impell* the Queen into the marriage, even at the very last! Such also was the steady perfidy, and the hellish hypocrisy, of the

* Goodall, ii. 242—243.

† Anderson, ii. 280.

‡ P. 80.

§ P. 26. See also Cabala, Part 1st. 127.

conspirators

conspirators in the work! They were earnestly pressing the Queen to that marriage, which they were intending to make the very instrument of her ruin. They were in the mean time preventing the royalists from coming forward to stop it, by the rumour of a collusion between the Queen and Bothwell. This calumny made a deep impression for the time. The honest part of the nation *now* believed all, that the knavish suggested. They believed, even though they *saw* to the contrary. They discredited the testimony of their own senses, and listened to the voice of rumour. They *could not but see* the violence offered to their Queen, yet they were taught to consider it as all artifice. And, for fear of being imposed upon by a *real* cheat, they allowed themselves to be deceived by a *pretended* one*.

The Queen was thus forced into the arms of Bothwell. Every thing co-operated to force her. That dreadful deed of degradation to the honest pride of woman, first reduced her to a level with him. Her total inability to rescue herself from the toils, in which she had been so wretchedly entangled; her repeated proofs, of the general indifference of her subjects to her fate; and the horrible perfidiousness, of the only part of her nobles who spoke to her upon the subject, who urged and urged her to the fatal precipice, "who smiled, and "smiled, and yet were villains;" impelled her forwards with him, beyond her power to struggle effec-

* Keith, 383.

tually against it. And all the while she had a principle of wounded delicacy in her breast, that was perpetually betraying her from within, while she was thus assaulted from without. To such an humiliation indeed was she reduced by all, that she was not even married to Bothwell in the only form, which could be agreeable to her conscience or her prejudices. She had been married in the POPISH manner to Darnly; though Darnly was equally a Protestant with Bothwell *, though Darnly was of the

* Melvill, 56, and 57. The main passage in Melvill, indeed, hath been opposed by both Keith (278) and Guthrie (*Scotch Hist.* vi. 258), upon that full persuasion which hath prevailed among all our writers, of Lenox and Darnly being Papists. But, as the passage in 57 shews the other in 56 *not* to be mis-printed, so facts and papers prove both to be true. On November 7, 1564, Randolph inveighs against Darnly as a Papist (Keith, 261). But, on December 2d afterwards, he only "suspecteth his religion" (Keith, 262). And, on February 9, 1565, he adds exactly in the same strain, that "it is suspected — his religion is Popish" (Keith, 269). Darnly therefore, we may be sure, was what Melvill represents him, professionally a Protestant. Yet on March 20, 1565, Randolph calls him expressly a Papist (Keith, 271). But on May 1st, 1565, the privy council of England, objecting to Mary's marriage with Darnly, say not a word of his being a Papist (Keith, 274—275). Even Randolph himself, on July 19, 1565, comes back once more from his certainties to his suspicions. "Because my Lord Darlye," he says, "wolde seeme to be indifferent" to Popery or Protestantism, "sometime he goethe wyth the Queen to the masse, and these two laste dayes hath byne at the sermons: yt is also sayde, that she wyll be mariede with a minister, whearof I do dowte" (Keith, 301—302). Randolph repeats the same nearly, on July 31st, 1565. "He," Darnly, says the ambassador, "would

the blood royal of England and Scotland, and though Darnly was the very choice of her heart. Yet she was married in the PROTESTANT manner to Bothwell. "The marriage," says Melvill, "was made at the palace in Holyrood-house, after sermon, by Adam Bothwell Bishop of Orkney, in the great hall where the council useth to sit, according to the order of the Reformed Religion, and not in the chapel at the mass, as was the King's marriage *." Her prejudices, her pride, and her conscience

"would now seem to be indifferent to both the religions, *she to use her masse, and he to come sometimes to the preaching*: they were married with all the solemnities of the Popish time, *saving that he heard not the masse*" (Robertson, ii. 347). He was therefore a Protestant by profession. Nothing less than Protestantism, could have induced him not to stay at the mass with the Queen, on the day of their marriage. Indeed a young man, bred up in the court of Elizabeth, and honoured by her with carrying the sword of state at times (Melvill, 48), could not but have professed Protestantism. He accordingly banded with Murray, &c. to establish Protestantism in Scotland (Keith, App. 121). And his father appeared as a Protestant, for all the rest of his life.

* P. 80. See also Spotswood, 203. The rebel journal is wrong therefore, which says "thay wer publicklye marreit efter baith the sortis of the kirkis, reformat and un-reformat." So also is the rebel bond of association on June 16, 1567, which says the marriage was "accomplishit on, baith the fashchionis" (Anderson, i. 136). Yet on these authorities Dr. Robertson, i. 410, and even Dr. Stuart, i. 222, have asserted the marriage to have been made in the Popish as well as the Protestant manner, *privately* in the Popish manner, and *publicly* in the Protestant. But they thus contradict their principal authority directly. The rebel journal affirms the Queen and Bothwell, to have been "*publicklye marreit efter baith the sortis*," &c. Nor can any one tell, *when, where,*

conscience, must all have revolted at this. But her ravisher and her tyrant insisted upon it. And she was obliged to comply. He insisted upon it, to please those whom he knew to be considered, as the leaders and the protectors of the Protestants; by whom principally his bond had been signed, and by whom peculiarly his marriage was to be fortified. "He hes finalie *drevin* us to end ye work begun," Mary herself complains, "at sic tyme, and in sic forme, as *he thocht mycht best serve his turn*; quhairin we cannot diffembill yat *he hes usit us utherwaysis, yan we wald have wiffit, or zitt have deserved at his band*; having mair respect to content yame, BY QUHAIS CONSENT GRANTIT TO HIM BEFOIRHAND HE THINKS HE HES OBTENIT HIS PURPOIS,— yan regarding oure contentatioun, or zit weying qubat wes convenient for us, yat hes bene norissed in oure awin religion, and nevir intends to leif the *samyn* for him or ony man upon earth*." So much did he, *who knew best*, attribute the execution of the bond to the patrons of the Protestant party in the kingdom. So very desirous also was he to gratify them, as even to

or by *whom*, the Popish marriage was made between them. Melvill's account indeed precludes it. And the Queen's own intimation, produced immediately in the text, concurs with Melvill's to shew it all a fiction. The Queen even shews it to be a fiction, in her address read and proclaimed at the head of her army, on the 14th of June 1567; when she avers, that "all the world knew her marriage" with Bothwell "was contracted and solemnized publicly." Crawford, 33.

Anderdon, i. 99.

gratify them in the very moments of his marriage with the Queen, and even to gratify them by putting a violence upon the Queen's prejudices, and by applying a torture to the Queen's conscience! And so greatly sunk was the Queen from all the happy dignity of her former days, by the infamous brutality of this Protestant wretch, and by the infamous confederacy of all the Protestant wretches with him, as to be obliged to suppress her feelings, to subdue her prejudices of education, and to trample upon her principles of religion, at the close of all!

All this serves to shew us at once the moral and the natural impossibility, of Mary's writing the sonnets to Bothwell at present. Her aversion to the marriage, so fully evidenced by herself, and so strongly reflected in the suspicious activities of his conduct, could not admit one particle of that affection for him, which is expressed in the sonnets. And during the whole of this awful period, which was pregnant with misery to Mary, to Mary's friends, and, by a happy addition, to Mary's enemies too; Bothwell was *not* absent from her, and she *could not* and *would not* write the sonnets to him. When therefore do those impossibilities cease, and this absence begin? The moral impossibility never ceases. It is as strong after marriage, as before. It is even seemingly stronger. Bothwell had forced the Queen, in spite of all her aversions and resentments, to marry him, to marry him at his own time, and to marry him in his own manner. His proud soul, which could stoop to seize the

the Queen in order to ravish her, and actually ravished in order to marry her, grew indignant when the marriage had been celebrated, to think force had been necessary to bring her to it. He therefore rose upon her with an elevation of brutishness, very natural to such a soul, after such a marriage with a *Queen*. He behaved with an air of disdainful insolence to her. He even descended to the rudenesses of abusive language towards her. Her fine feelings were dreadfully hurt. Some remaining spirit of her former dignity, struggled with the sense of her present humiliation, in her bosom. A violent conflict took place. And, in one of these paroxysms of perturbation, she was so overborne by insults superadded to insults, that openly, and in the presence of some of her most respectable attendants, she hastily called for a knife to dispatch herself with it; and she vowed to practise some other mode of suicide, when she was precluded from this *. The very rebels themselves acknowledge openly, in a written memorial of July the 20th, 1567, to Throgmorton, then Elizabeth's ambassador in Scotland, that she "should not have lived with him *half a year to an end*, as "may be conjectured," they add, "by the short "time they lived together †." So clearly does the history of Mary and of Bothwell, *before and after* their union, and from the *beginning to the end* of their connection, prove the connexion to have been a connexion of ambition in *him*, and the

* Melvill, 81.

† Keith, 418.

union an union of violence in *ber*; in *ber* to have been preceded with dislike, in *ber* to have been accompanied with abhorrence, and in *ber* to have been closed with fear, disgust, and hatred! Yet this is the woman, whom the letters and the sonnets pretend to describe, as burning with a phrenzy-fever of love for the man! The chemistry of a calumniator can thus extract fire, from the snows of Caucasus. And the fiend of forgery can out-lye all the lying chronicles of Ireland,

Quicquid Græcia mendax
Audet in historia.

Bothwell indeed, *for some time after the marriage*, was *never* absent from Mary. When was he *first* so? We shall soon see, by the light of the journal. This valuable record, which was formed by the rebels for their own support, which has therefore been scouted by the friends of Mary, but which I have rescued from contempt, and turned with efficacy, I think, against the rebels themselves, informs us thus: "May 15th, thay wer publick-
"lie mareit,—and—*remaynit to the 7th of June.*" There was no absence then, *before* the seventh of June. Nor can the sonnets, as an epistle addressed to the absent ravisher, be dated sooner. But what occasioned his absence at that time? A military expedition. "June 7," the journal tells us, "he
"purposit and rayd against the Lord Howme
"and Ferneherst, and so past to Melros, and the
"to Borthwick." In Borthwick therefore, at this time, and on this separation, we may suppose the
sonnets

sonnets to be pretendedly written. And the sonnets themselves coincide with this. In the 3d, Mary is made to say with allusion to the present expedition, that Lady Bothwell has no fears for Bothwell's safety; and that she herself is so much afraid of the appearances, as not to be able to take any rest for them:

"Elle de vostre mal n'a l'apprehension;

"Moy je n'ay nul repos, tant je crain l'apparence."

And in the 11th she speaks fully to the point, expressing her apprehensions of some melancholy accident befalling him, and preventing his return to her:

"Une autre fois je crain quelque aventure,

"Qui par chemin destourne mon amant,

"Par un fascheux et nouveau accident;

"Dieu, destourne tout malheureux augure!"

We must fix the sonnets, however, a few days after June the 7th; as she is made to complain in them, of his not having returned on the day he had promised. Yet he returned before the 11th. On that day he appears from the rebel journal, to have been with her in Borthwick. And the 9th or 10th of June can be the only day, in this view of circumstances, to which it is possible for us to assign the sonnets.

Yet, at that time, Mary could be little in spirits to write a poetical epistle to Bothwell, even if her

heart had been as full of love, as it was of aversion, to him. A strong ferment of rebellion was now working in the nation. Mary had condescended to answer the malignant rumours, that were circulated concerning herself, in a proclamation on June the 1st. She had even on May 28th before issued a proclamation, calling many of her military tenants into the field, in order to suppress some commotions in Lydisdale. They were to meet Bothwell at Melrofs, on the 15th of June. And the fidelity of the keeper of Edinborough castle began to be suspected *. In this critical situation of affairs, Bothwell resolved to go immediately from Edinborough to Melrofs, and thence to advance upon Lord Hume and Fernihurst, the former of whom was one of the most active of the rebels afterwards, and both must have been raising forces for rebellion at the time. But he durst not leave the Queen behind him, for fear of her aversion to him, for fear of her caballing with the keeper of the castle, and for fear of her uniting with the rebels against him. Such an union would have been a more natural, and a more religious, way of terminating the insults of Bothwell; than a desperate act of suicide. And she accordingly made use of the expedition afterwards, at the very first opportunity that offered. In consequence of these fears, Bothwell took her with him on the 7th of June, to the castle of Borthwick. He left her there with the garrison, while he pushed on to Melrofs. He

* Keith, 395—397; and Melvill, 80—81.

meant to have crushed Lord Hume, and his principal adherent Ker of Feniherst. He found them, it seems, too strong for him. He retreated to the Queen at Borthwick. He therefore returned *sooner*, than he had intended. And the sonnets, which speak of his staying *beyond* his intended time, are historically false. Lord Hume marched hastily after him, and made a junction with some other rebels. These came up to Borthwick from the suburbs of Edinburgh, which they had entered in arms upon the 10th. And both presented themselves before the gates of the castle early on the 11th, the day after the return of Bothwell probably, and certainly in the darkness of the night. What was then the consequence? Let the rebel journal tell us. "June 11," it says, "the lordis cam "suddankie to Borthwick: Bothwell fled to Dumbar, and the lordis retyrit to Edinburgh: She "followit Bothwell to Dumbar disguyfit*." The garrison, to whose care she had been committed,

* Goodall, ii. 164, and Appendix, N° x. The rebels on June the 10th entered the suburbs of Edinburgh (Keith, 399); marched from thence in the night of the 10th and 11th to Borthwick castle, eight miles off (398); returned to Edinburgh the 11th; dated their proclamation of the 11th from the suburbs (Anderson, i. 128); forced the gates of the city on the 12th (Anderson, i. 131); and then published their proclamation at the market cross (Crawford, 30). "When at first "we came about Borthwick," say the rebels themselves; "—hearing he," Bothwell, "was escaped out of the house, we "insisted no farther to pursue the same,—but came back to "Edinburgh" (Keith, 419). The movements of the rebels and of Bothwell on this occasion, wanted much to be traced with exactness. See also p. 17 of this volume.

sent a party, no doubt, to conduct her. These, in order to conduct her the more safely through the dubious country, required her to wear a disguise. And was this a time then, amidst distractions and alarms, amidst the dread of rebellions and the movements of armies, amidst the chaos of fearful apprehensions, of formidable rumours, and of melancholy realities; was this a time then, for Mary to delight herself in writing a long and laboured sonnet of twelve divisions?

I nunc, et tecum musas meditare canoras,

Go now, and mount to the mast-head in a storm, There, while the winds are howling loudly about thee, while the ship is rocking violently under thee, and while even some of the crew are desperately wielding their axes against the mast itself, sit thou serene above, construct thy stanzas, and ring thy rhymes; into a poem of great regularity and length. And, if thou canst *not* do *this*, thou canst *not* think it possible for Mary to do *that*.

But how wonderfully is all this heightened to the mind, when we take one more view into the state of her spirit towards Bothwell? She must have had the pride of indignation rising within her at times, for the seizure. She must have had the virtue of abhorrence rankling frequently at her heart, for the rape. And she must have felt her whole soul continually on the rack within, from his base and barbarous treatment of her since. Accordingly, Melvill gives us this final account of her regard for Bothwell, in describing the temper of her mind

on June the 15th at Carberrie Hill. "Many of those who were with her" there, he says, "were of opinion that she had intelligence with the lords," then in arms and facing her; "especially such, as were informed of THE MANY INDIGNITIES PUT UPON HER by the Earl of Bothwell, *since* their marriage. HE WAS SO BEASTLY AND SUSPICIOUS, that he suffered her not to pass ONE DAY in patience, without MAKING HER SHED ABUNDANCE OF TEARS." So morally impossible is it for Mary, to have written the sonnets *since* the marriage! Even as morally impossible, as to have written them *before* it! "Thus," adds Melvill, "part of his company detested him; other part of them believed, that HER MAJESTY WOULD FAIN HAVE BEEN QUIT OF HIM, but thought shame to be the doer thereof directly herself*." She accordingly invited one of the rebel officers, to a parley. She agreed with him, to order Bothwell immediately off the field. She sent that very officer to Bothwell with the order, instead of going and giving it herself. She saw Bothwell departing in consequence of the order, without taking the slightest farewell of him. She then, in the gaiety and gallantry of majesty, reached out her hand to the officer to kiss, as a reward for his little service. And, attended only by one of her ladies, she rode with him, he walking on foot and holding her bridle, directly over to the rebels†. This is the

* P. 82. † Melvill, 83; Goodall, ii. 164—165; and two engravings by Vertue, from original pictures in Kensington palace.

last act, in the train of transactions between Mary and Bothwell. It is a very remarkable one. It receives a strong light from all the preceding. It reflects a strong light back upon them again. And it unites with all, to do what has never yet been done; to set the disposition of Mary towards Bothwell, in its just and proper light; to reduce it from the towering heights of love, at which it has been fixed by the general opinion; to sink it into the very depths of aversion and disgust; and so to prove the forgery of the sonnets, to the conviction of every mind.

Thus replete with evidence against the sonnets, is the frantic love of Mary, and the asserted absence of Bothwell, in them! But, what is perhaps more extraordinary still, the æra of Bothwell's absence is not the only date, assigned by the sonnets for their own origin. They have equally assigned a second, and a different one. They have even assigned a third, very different from both. And the contradictoriness of all the three, unites with the absurdity of all, to make them so many demonstrations of the spuriousness of the sonnets.

Though the absence of Bothwell forces us forward to the 9th or 10th of June, yet another circumstance carries us back to the 1st or 2d of May. The Queen in sonnet 3d expressly declares, that she was not then *married* to Bothwell, and that Lady Bothwell was *still* his wife.

“ Elle, pour son honneur, vous doit obéissance :

“ Moy

"Moy vous obeissant, j'en puis recevoir blâme,
 "N'estant, a mon regret, COMME ELLE, vostre
 "FEMME."

This is very peremptory. The marriage had not yet taken place, which took place on the 15th of May. The divorce had not yet been pronounced, which was pronounced, at Bothwell's suit, on May the 7th, and at his Lady's on May the 3d. Accordingly Buchanan says, as I have noticed before, that the sonnets were written by Mary to Bothwell, "befoir hir marriage with him, and—befoir his divorce from his wyfe." And, from this note of time, we cannot date the sonnets later than the first or second day of May. Then, little more than a week had passed since the seizure of the Queen. Yet in this week, according to the sonnets, the Queen had been carried to Dunbar, had been courted by Bothwell, had refused him; had made him desperate, had been ravished by him, had subdued her sensibilities at the barbarous and horrible outrage; had conquered her abhorrence of the brutal perpetrator of it; had even turned her hatred into love, had grown desperately fond of him, had fancied him absent while he was actually present with her, had fancied a promise of return in him when he had never gone away; and had written and sent to him a long and particular history of her love, when all the while he was with her in the very castle, and perhaps in the very room.

But there is another circumstance in these sonnets, which carries us back even still farther for the

date

date of them. Lady Bothwell is represented as endeavouring to draw Bothwell off from Mary, as having therefore written some flourishing letters, and as pretending a very great regard for him. Yet, by the rebel journal, Lady Bothwell actually subscribed a procuratory on the 5th of April, 1567, for commencing a suit of *divorce* against him*. This suit she prosecuted very rapidly. On the 26th of April, two days after Bothwell's seizure of Mary, a precept was issued by the commissaries of Edinburgh, for the appearance of Bothwell on the 29th. He appeared by his proctor accordingly, on that day. Her proctor then "took the oath de "calumniâ," to shew "he had just caus to pursue "the said action." He afterwards "took the "morne, the last day of Apryll, to prove the same "pro primâ." He appeared that day, "produced "some witnesses" of Bothwell's adultery with one of her maids (so profligate was he!), and "took the "next day, being the 1. of May, to do farther diligence." Upon the first of May "he produced some more witnesses, and renounced farther probatione." But "he desired a term to "be assigned, to pronounce sentence." Accordingly "the said commissars assigned Satterday "next, the 3. of May, to pronounce sentence "therein, secundum alligata et probata." And sentence "was given that day, in favour of the per-sewar," Lady Bothwell†. Yet in the sonnets

* Appendix, N^o x.
449—450.

† Ibid, and Robertson, ii,

she is represented, as trying all her address to win Bothwell from Mary. The period of the sonnets, therefore, must be prior to the date of the procuratory. *After* that, she could have no thought of drawing Bothwell off. Indeed she so little thought of it in fact, that she was continually and eagerly pushing on the suit of divorce. And the sonnets are thus dated before the letters from Stirling, and as early at least as the 4th of April, 1567.

Thus are we beaten backwards and forwards, by the reverberatory evidence of the sonnets.

Modó me Thebis, modó ponit Athenis.

We have no rest any where for the soles of our feet. And the cause of all is this. When forgery sat down to its grand operations; when

The Genius and the mortal instruments
Were all at work,

to produce their horrible train of machinations against Mary; the design was to be as successful over her by fictions, as they had been over Bothwell by truths. In all their papers at first, they had vented their malice against *him* alone, as guardians for their Queen, and as champions for her son. But as soon as this was done, as soon as the imbecility of un-supported guilt sunk before them, they then turned all their batteries upon innocence. They took advantage of that very connection of hers with guilt, which they themselves had recommended to her, and which they themselves had united with this guilt to force upon her. They called

called up all the Fiends of Hell, as I have formerly observed, to assist them in their counsels. They adopted all the suggestions of Hell, in the execution of them. Bothwell, "whom they had execrated before as a monster in impiety, as the murderer of Darnly and the ravisher of Mary, was now to be rendered important at her expence, as pestered by her love, and overpowered by her fondness. He was to appear indifferent to her regard. She was to appear wanton in her advances. He was even to consider her, as a woman of no judgment. And the amiable, the religious, and the accomplished Mary, for whom they had taken up arms against Bothwell, to free her person from his harquebusiers, and to dissolve her forced marriage with him, was to be involved in all his criminality; was to suffer for that murder and that rape, to which *they* had stimulated him, and by which *she* had been so dreadfully injured before; and was even at last to be degraded, under the very feet of this, their executioner and their hangman in villainy. With this view they wrote the letters, they drew up the contracts, and they composed the sonnets. The particular design of the last, was to continue the fictitious tale of the first, to exhibit the same fever of love in Mary as they do, and to shew her in the same frenzy of attachment to the very last. But, in order to do this, they *could* not confine themselves within the compass of historical dates. They were obliged to burst the narrow sphere of history. They must enlarge the visit at Glasgow. They must lengthen the

the stay at Stirling. They must extend the captivity in Dunbar and Edinburgh castles. They must extend the last particularly, into a most immeasurable length. That abhorrence for the ravisher, which the dignity of delicacy, the pride of admiration, and the elevation of royalty, must have all united to fix deep in the bosom of Mary; was to go off by degrees, under the effacing hand of time. Even a new spirit was to rise in its place. Esteem was to succeed abhorrence. Affection was to be founded upon esteem. And this was to be fomented into love, to be kindled into passion, and to blaze out into a wild extravagance of both. To do this with any propriety at all, to prevent the forgery of the facts from staring full in the face of credulity itself; the short line of chronology was to be abandoned, the latter half of May was to be intercalated at the beginning of it, the first week in June was to be subjoined to the end of April, the month of March was to be transposed to the eighth of June, and indistinct intimations were to be given, of a still larger period intervening between all. But, by thus endeavouring to give some air of nature and probability to the monstrous incredibility of their fictions, they betrayed the fabrication of the whole at once. They laid themselves open to a more obvious detection, than what they were aiming to avoid. Nature may frequently be violated with impunity. Chronology seldom can. Numbers cannot well determine, in the strange eccentricity of the human passions, what is absolutely incredible concerning them, and what is not.

But

But all can tell, when an asserted incident is shewn to be contrary to an historical date. And by a stroke of infatuation which cannot be too frequently noticed, for fear lest, in the minuteness of these events, other records should fail us, the rebels themselves supplied us with a long and particular journal, to shew us the true dates of facts, and to expose their own falsehoods by the light of it.

By this, peculiarly, have the sonnets and the letters been shewn to be spurious. The makers of them have broken through all the barriers of *their own* history. They have started aside from the orbit of *their own* chronology. They have taken a flight beyond the bounds of *their own* creation, have ranged into the chaos of fiction and absurdity without, and placed themselves conspicuous in THE PARADISE OF FOOLS there. And, what forms a very singular conclusion to the whole, as the letters and the sonnets respectively have thus betrayed *themselves* to be forgeries, so have the *sonnets* additionally exposed the forgery of the *letters*, in the fullest manner.

CHAPTER THE FOURTH.

I HAVE now exposed the forgery of the sonnets and of the letters, I trust, with an overpowering lustre of evidence. I shall therefore pass immediately to the contracts. These are the only part of the principal forgeries, which have not yet undergone an internal examination. They equally invite the eye and knife of the historical anatomist. They will equally be found diseased under them. And I hope to read a lecture over them, of equal power and utility with any that I have read before. It will, at least, be proportioned in its power to the lower degree of impudence, with which these additional forgeries have thrust themselves into the eye of the world; and, in its utility, to the inferior spirit of malignity, with which they have presumed to set themselves against Mary. It will thus be equally decisive in the scale, against them. A lighter weight requires only a lighter hand, to overbalance it. In order to shew them truly light in the balance, I shall lay the contracts themselves, as I have laid the letters and sonnets, before my reader. I shall then produce that real contract, of

VOL. III. L which

which the others are mere mimickries; but mimickries drest up in the garb of mischief, and calculated to impose themselves upon mankind for the other. The shade has thus presumed to arrogate to itself all the consequence of the substance, even to step before it in dignity, and even to pass itself off upon the weakness of credulity, for the substance itself. And I shall endeavour to shew them as they really are, to my reader.

§ I.

THE FIRST CONTRACT OF MARRIAGE PRO-
DUCED BY MURRAY *.

" Nous Marie, par la Grace de Dieu, Roync
 " d'Eſcoſſe, Douaryere de France, &c. promettons
 " fidellement, et de bonne foy, et ſans contraynte
 " (1), a Jaques Hepburn Conte de Roduel, de
 " n'avoir jamays autre eſpoux et mary que luy, et
 " de le prendre pour tel, toute et quant fois qu'il
 " m'en requerira, quoy que parents, amys, ou au-
 " tres, y ſoient contrayres. Et puis que Dieu a
 " pris mon feu mary Henry Stuart dit Darnlay (2),
 " et que par ce moien je ſois libre, n'eſtant ſoubs
 " obeiffance de pere, ni de mere (3); des maynte-
 " nant je proteſte, que, lui eſtant en meſme li-
 " berté (4), je ſeray preſte, et d'accomplir les
 " ceremonies requiſes au mariage: que je lui pro-
 " mets devant Dieu, que j'en prantz a teſmoign-
 " aſge, et la preſente, ſignée de ma mayn (5).
 " Eſcrit ce (6)"

" M A R I E R."

(1) This ſtroke betrays the period, for which the contract was originally calculated. It was calculated for the time of Mary's confinement in Dun-

* Now in the Cotton library, Caligula, C. i. f. 202; Goodall, i. 126, and ii. 54.

bar and Edinburgh castles. At no other period, could there be the slightest reason for intimating, that she did *not* enter into the contract *by constraint*. Accordingly, the *real* contract carries no such intimation in it. And she actually gave Bothwell a promise of marriage, as I have shewn before, during her confinement at Dunbar.

(2) This shews the contract to have been made, *posterior* to the murder of Darnly. Yet Buchanan, with an amazing *sang froid*, intimates it to have been *prior*. He even does so, in an *expressed* opposition to these very words, and yet without *adducing* any proof against them: "Quhilk wryting, being without dait, and thocht [though] *sum wordis thairin seme to the contrarie*, zit is *upon credibill groundis* supposit to have bene maid and writtin be hir, *befoir* the deith of hir husband *." So freely could these forgers contradict and oppose their own evidences, in their eagerness to calumniate Mary! And, as I hope I may say without offence, *hath not the potter power over the clay?*

(3) This seems to speak the formal language of the law, and so to coincide with the chancery hand of the original. Mary, writing the contract herself, could never have thought of such a mere impertinence, as to assert she was not under obedience to father or to mother. Nothing, but the customary comprehensiveness of the law, could have suggested the words.

* Anderson, ii. 92.

(4) This

(4) This hints at the intended divorce of Bothwell from his wife; and so unites with the constraint denied before, to date the contract in April, 1567.

(5) This concurs with the legal turn of the contract, to shew it was written, by some lawyer, and only subscribed by Mary.

(6) This however contradicts both, and asserts the contract to have been written, as well as subscribed, by Mary. It *was* so, when shewn at York. It was *not* so, when given to Cecil. The *aspect* of the contract itself, shews it only to have been pretendedly subscribed by Mary. And the *language* of the contract asserts it to have been only subscribed, and yet avers it to have been also written by her. So thoroughly are the two plans incorporated together!

§ II.

THE SECOND CONTRACT OF MARRIAGE PRODUCED BY MURRAY (1)*.

" At Setoun, the v. day of Apryll, the zeir of
 " God 1567, the richt excellent, richt heich and
 " richtie Princes, Marie, be the Grace of God,
 " Quene of Scottis; considdering the place and es-
 " tait quhairin Almighty God hes constitute hir
 " Heichnes, and how, be the deceis of the King hir
 " husband, hir Majestie is now destitute of ane
 " husband, leving solitarie in the stait of wedow-
 " heid; in the quhilk kynde of lyfe hir Majestie
 " maist willingly wald continew, gif ye weill of hir
 " realme and subjectis wald permit; bot, on the
 " uther part, considdering the inconveniencis may
 " follow, and the necessitie quhilk the realme hes,
 " yat hir Majestie be couplit with ane husband;
 " hir Heichnes hes inclynit to mary. And seing
 " quhat incommoditie may cum to this realme, in
 " cace hir Majestie fuld joyne in mariage with ony
 " forane prince of ane strange natioun; hir Heichnes
 " hes thocht rather better, to zeild unto ane of hir
 " awin subjectis; amangis quhome, hir Majestie
 " findis nane mair abill, nor indewit with better
 " qualiteis, then the richt nobill and hir deir cousing
 " James Erle Bothwell, &c. of quhais thankfull

* Buchanan's Detection, 93—96; Anderson, ii.

“ and trew service hir Heichnes, in all tymes by-
“ past, hes had large prufe and infallibill expe-
“ rience. And ſeing not only the ſame gude mynd
“ conſtantly perfevering in him, bot, with that, ane
“ inward affectioun and hartly luſe towardis hir
“ Maieſtie; hir Heichnes, amangis the reſt, hes
“ maid hir choſe of him: and thairfoir, in the pre-
“ ſence of the eternall God, faithfully, and in the
“ word of ane prince, be thir presentis, takis the
“ ſaid James Erle Bothwell as hir lawfull huſband;
“ and promittis and obliſis hir Heichnes, that how
“ ſone ye proces of divorce, *intentit* betwix ye ſaid
“ Erle Bothwell and Dame Jane Gordoun, now his
“ pretenſit ſpous, beis endit be the ordour of ye
“ lawis, hir Maieſtie ſall, God willing, thairefter
“ ſchortly mary and tak the ſaid Erle to hir huſ-
“ band, and compleit the band of matrimonie with
“ him, in face of haly kirk, and ſall never mary
“ nane uther huſband bot he only, during his lyfe-
“ tyme. And as hir Maieſtie, of hir gracious hu-
“ manitie and proper motive, without deſerving of
“ the ſaid Erle, hes thus inclynit hir favour and af-
“ fectioun towardis him; he humblie and reve-
“ rentlie acknowledging the ſame, according to his
“ bound dewtie; and being als fré and abill to mak
“ promeis of mariage, in reſpect of the ſaid proces
“ of divorce, *intentit* for divers reſſonabill cauſis,
“ and yat his ſaid pretenſit ſpous hes thairunto
“ conſentit; he preſentlie takis hir Maieſtie as his
“ lauchfull ſpous in the preſence of God, and pro-
“ mittis and obliſis him, as he will anſwer to God,

" and upon his fidelitie and honour, that, in all di-
 " ligence possibill, he fall prosecute and set fordward
 " the said proces of divorce, *alreddy begunne and in-*
 " *tentit* betwix him and the said Dame Jane Gor-
 " doun, his pretensit spous, unto the fynall end of
 " one decreit and declarator thairin: and inconti-
 " nent thairefter, at hir Majestie's gude will and
 " plesure, and quhen hir Heichnes thinkis conve-
 " nient, fall compleit and solemnizat, in face of
 " haly kirk, ye said band of matrimony with hir
 " Majestie; and lufe, honour, and serve hir Heich-
 " nes, according to the place and honour that it
 " hes pleisit hir Majestie to accept him unto, and
 " never to have ony uther for his wyfe during hir
 " Majesteis lifetyme. In faith and witnessing
 " quhairof, hir Heichnes and the said Erle hes sub-
 " sorivit this present faithfull promeis with yair
 " handis, as followis; day, zeir, and place foirsaidis;
 " befoir thir witnes, George Earle of Huntly, and
 " Maister Thomas Hepburne, persoun of Auld-
 " hamstock (2), &c.

" MARIE R.

" JAMES Erle BOTHWELL." (3)

(1) That Murray produced this contract at
 Westminster as well as at York, is plain. " Thear
 " was also a contract shewed unto us," say the
 commissioners at York, " signed with the Quene's
 " hand, and also with Bothwell's, bearing date the
 " fifth

"fifth of Aprill," &c. There was also "produced, read, and viewed," says the privy council on December 15th, "the original writing, supposed to be written by the Erle of Huntley; bearing a contract of mariage betwixt the Quene and the Earle Bothwell, dated at Seaton the 5th of Aprill," &c. Yet it is not noticed by the commissioners at Westminster, as then received by them. What they received on the 8th of December, is said by themselves to be, "seven several wrytings wrytten in *French*, in the lyke Romain hand" as the Queen's. But this contract was not in French, and is not written in a hand like the Queen's. It is in English, and pretends to be penned by Huntly. When then was it delivered? The privy council shall tell us, though the commissioners do not. It was delivered on the 7th. "The true copy wherof," says the journal of the council, "is amongst the things exhibited the 7th of December *."

(2) This very person sued out the commission for Bothwell, in his cause of divorce against his lady †. He then went to Craig the minister, with a verbal notice for publishing the banns ‡. For these and perhaps other services, he was by Bothwell's interest created Master of Requests §. But he was, what few of Bothwell's followers were, faithful to his patron and his Queen in their hour of adversity. He helped to keep the castle of Dunbar, on

* Goodall, ii. 141, 257, 235, and 257.
ii. 450.

† Anderson, ii. 279.

‡ Robertson,
§ Keith, 387.

the flight of Bothwell and the imprisonment of the Queen *. He even attempted to surprize Dunbar for her afterwards, on her escape from her prison †. All unites to account for his being made a witness by the rebels here. And the reason for dating the contract at *Seton*, and on the *fifth* of April, was; that a privy council was held on the fifth at Seton, and a proclamation issued concerning the comptroller ‡.

(3) Buchanan has made a remark upon this contract, which shews him to have *not* been in the secret of its forgery, and so unites with what I have observed before to prove; that even the most trusty retainers to Murray knew only *parts* of the general villainy, some of them probably one part, and some another; and that the *vast whole* was grasped only, by the comprehensive spirit of Murray himself, &c. "It appeiris," he says, "be the wordis of the contract itself, that it was maid befor sentence of divorce betwix Bothwell and his former wyfe; and als wa *in verray treuth was maid, befor ony sute of divorce intentit or begune* betwene him and his former wyfe, thocht [though] sum wordis in this contract seme to say utherwyfe. Quhilk is thus provit: for this contract is daitit the v. of Apryll; and it planely appeiris be the judiciall actis, befor the twa severall ecclesiasticall ordinarie judges, quhairin is contenit the hail proces of the divorce betwene the said Erle and Dame Jane Gordoun his wyfe, that the ane of the same pro-

* Keith, 455.

† Ibid. 473.

‡ Ibid. 374.

"cessis was intentit and begune the xxvi. day of
 "Apryll, and the uther the xxvii. *." That Buchanan should convict one of the criminating evidences against Mary, very clearly of forgery; is certainly a very singular phenomenon in itself. Yet such is the fact. He has here produced a principle of detection, which shews the contract to be absolutely spurious. He did not intend to do this. But he has done it. At the date of the contract, April the 5th, the divorce is said by the contract itself, to have been "alreddie begunne." Yet it was not begun, says Buchanan, before the 26th of that month in one of the courts, and before the 27th in the other. This is a decisive evidence of forgery. The contract was evidently not written, till some considerable time after the date; till the exact remembrances of dates, were confounded in the memory of the writer; till the forgery and the truth, the real and the pretended dates, were struggling within him for superiority;

Till gods met gods, and jostled in the dark.

And, thus both obtaining an influence over him, he fixed the day from the forgery, and he inserted the fact from the truth.

But Buchanan is not the only rebel, who has produced this principle of detection against the contract. Even Mr. James Macgill, even Leithington himself, have with an equal unwittingness produced it; and so have shewn themselves with an equal clearness, to be *not* in the secret of its for-

* Anderson, ii. 95.

gery. At the conference in York, "the Lord of Lethingtoun, James Makgill, and Mr. George Boqwannan, and another, being a lord of the session," shewed this contract to the English commissioners; "which contract beareth date," say the commissioners from the rebel instructions, "*—before* the proceffe of divorce *began* between Bothwell and his wief, which was not begunne *"before the first of May *."* This is exactly the argument of Buchanan himself, against the contract. It was meant to operate, as a powerful piece of artillery against Mary. And it recoils back with an overbearing force, upon her assailants. The contract beareth date the 5th of April, and yet mentions the suit of divorce to be "*alreddie begunne*" between Bothwell and his wife. But, as these unintentional exposers of the forgery very justly assert, the suit was *not* begun *then*, the suit was *not* begun till *many days afterward*. It was not begun, says Buchanan, till the 26th and 27th. For this he *cites* the "*judicial actis, befoir the twa severall ecclesiasticall ordinarie judges.*" But these do not prove the days alledged. These shew the suit to have begun on the 29th of April in one court, and on the 3d of May in the other †. Yet the rebel journal agrees with Buchanan. And the rebel journal was undoubtedly the authority, to which he *meant* to refer, and *dared* not to appeal. This states the two "*precepts of partising*" in the cause, to have been issued on the very days, upon which Buchanan avers

* Appendix, N^o v.

† Robertson, ii. 449—450.

the cause to have begun, the 26th and 27th of April *. The cause, however, was not begun, says the same Buchanan at York, as acting in concert with Lethington, Macgill, and another, "before the first of May." So different were the accounts of the rebels at different times! We have seen the same contradictoriness before, concerning the *continuance* of the same cause. And it is useful to mark all their variations, as they come in an endless succession before us. But all these varying dates, at present, unite to prove the forgery of the contract. On whichever of the days the suit began, it certainly began *after* the date of the contract. On any of the days, the forgery is very apparent. And it is equally apparent, that the fact of the forgery was not known to Buchanan, was not known to Macgill, and was not known even to LETHINGTON; and that it was known only to Murray and to Morton, and perhaps only to Murray himself.

All this lays open a *new* source of conviction to our minds. It serves also to shew us, that as different parts of the rebel forgeries were executed by different persons, and some quite unknown to the others; as LETHINGTON assuredly made the LETTERS, and BUCHANAN composed the SONNETS; and LETHINGTON transcribed BOTH into a handwriting imitative of Mary's: so MORTON probably drew up THE FIRST CONTRACT for Mary, which was *therefore* written in a *chancery* hand, unlike

* Goodall, ii. 250.

her's; and MORTON also drew up probably THE SECOND CONTRACT, in the pretended hand-writing of Huntly, his immediate predecessor in the office of chancellor; and MURRAY himself, who was the presiding genius of the whole villainy, and set all the implements of iniquity to work, probably fabricated with his own hand THE CONFESSIONS of Paris, &c.—But let us go on to open another source of conviction, though of a kind with which we have been familiarly acquainted before. And the more we examine these artificial writings, the appearances of forgery shew themselves more numerous to us.

I have called this the *second* contract, because it is called so by the rebels. Their journal speaks of it thus: “April 5. The *second* contract of marriage, per verba de præfenti, was maid and wryt-
“tin be my lord of Huntly*.” Yet in *date* it is actually the first. This is plain from what I have observed, concerning the date of the other. And *in fact* it was exhibited *first* to the commissioners at York. “There was—a contract shewed unto
“us,” say the commissioners, “signed with the
“Quene’s hand, and also with Bothwell’s, bearing
“date the fifth of Aprill; written, as it is said, with
“the Earl of Huntley’s own hand, who, with one
“Thomas Hebourne, were the only witnesses to
“the same:—there was also a contract shewed un-
“to us, of the Quene’s own hand, of the marriage
“to be had betweene her and Bothwell, bearing no

* Appendix, No x.

“date,

"date, which had not verba de presenti, as the "other had bearing date the 5th of Aprill †." The persons, who shewed the former to the commissioners, evidently spoke to them in the very language of the journal concerning it. Yet they directly contradict the journal, in the order of exhibiting both. And they thus present us with another instance, of the natural confusedness of guilt.

The first contract, indeed, was originally intended to be the second. This the hint of denied constraint, given us in that contract, and not given us in the other, sufficiently shews of itself. But afterwards it was resolved to be considered as the first, as earlier in date than the other, and as going back we know not how far into the past. Hence the journal notices the other on the 5th of April, and calls it the *second*. And hence Buchanan more explicitly tells us of this, that, "thocht sum wordis "thairin seme to the contrarie, zit [it] is upon "credibill groundis supposit to have bene maid "and writtin be hir, *befoir the deitb of hir husband*." From this variation in the plan of the rebels, arose a natural variation in their conduct. The whole tenor of the contract shews it to have been written, for a period posterior to the death of Darnly. And one stroke in it fixes it even, posterior to the seizure of Mary. Yet the rebels had the hardiness, in defiance of all, to assign it an earlier date. It therefore became prior to the other in the journal, and prior even to the King's

murder in Buchanan. And yet it still shewed itself to be actually posterior to both, when it was exhibited by the rebels at York; and it was actually exhibited as posterior, by the rebels themselves there. Thus do these unskilful architects in villainy once more appear before us, not contenting themselves to work upon their original model; but raising their superstructure to a height, which they had not framed their foundations to bear; and so bringing down their whole building, by pieces, in ruin and destruction on their heads.

§ III.

THE TRUE CONTRACT OF MARRIAGE BETWEEN
MARY AND BOTHWELL *.

(1) " At Edinburgh, the xiiii. day of Maii, the
 " zeir of God M D. thrie scoir sevin zeris, it is ap-
 " pointit, agreit, contractit, and finallie accordit,
 " betwix the richt excellent, richt heich, and
 " michtie Princeesse MARIE, be the Grace of God
 " Quene of Scottis, Dowarrier of France, on the
 " ane part; and the richt noble and potent Prince
 " JAMES Duke of Orknay, Erle Boithvile, Lord
 " Halis, Creichtoun, and Liddisdaill, greit Admirall
 " of this realme of Scotland, on the uther part; in
 " manner, forme, and effect, as efter followis;
 " that is to say.

" Forfamekle as hir Majestie, considering with
 " himself how Almichtie God hes not onlie placit
 " and constitute hir Heines to regne owir this
 " realme, and during hir lyvetyme to governe the
 " people and inhabitantis thairof, hir native sub-
 " jectis; but als that of hir royall persoun succes-
 " sioun mycht be productit, to enjoy and posses this
 " kingdome and dominionis thairof, quhen God

* From the original in the Royal Archives of Scotland,
 Goodall, ii. 57—61.

“fall call hir Hienes to his mercy, out of this mortal lyff; and how graciouslie it hes plesit him alreddie to respect hir Hienes and this hir realme, in geving unto hir Majestie hir maist deare and onlie sone the Prince, [for which] baith hir Hienes self and hir hail subjectis ar detbund, to rander unto God immortal prayse and thanks: And now hir Majestie; being destitute of an husband, levand solitary in the state of widowheid (2); and zit zbung and of flourishing aige, apt and able to procreat and bring forth many children (3); hes bene preissit and humbly requirit to zeild unto sum mariage. Quhilk petition hir Grace weying, and taking in gude part; bot cheiflie regarding the preservatioun and continuance of hir posteritie; hes condescendit thairto. And mature

(1) Buchanan, in that bold repugnancy to his own and the rebel accounts before, which marks the general tenor of his History, asserts *this* contract to have been produced at Westminster with the other two. There were then exhibited, he says, “*matri-
monii contractus tres; primus,—ipsius Reginae
manu scriptus—; alter,—Huntlaei manu conscrip-
tus; tertius, sub ipsas nuptias palam factus* *.” Buchanan thus contradicts his own account in the Detection †. He also contradicts the account given by Murray himself ‡. And he contradicts equally the journal of the English council §. A contract genuine and public, indeed, could answer not pos-

* Hist. xix. 374.

† P. 92—97.

‡ Appendix,

Nº xi.

§ Ibid. Nº ix.

fible purposes of calumniation, against such a princess as Mary.

(2) Of this very natural preamble in the true contract, the mimic one has taken only a slight part; compressing the sentences before into this one, "considering the place and estait quhairin "Almightie God hes constitute hir Heichnes;" and then repeating the present thus, "how, be the deceis of the King hir husband, hir Majestie is now destitute of ane husband, leving solitarie in the stait of wedowheid."

(3) In the room of this curious language, the other contract says thus; "in the quhillk kynde of lyfe hir Majestie maist willingly wald continew, gif ye weill of hir realme and subjectis wald permit." This is evidently more delicate, than the present passage. But then that very circumstance proves the forgery of the contract. Huntly is asserted to have drawn it up. He was at the time chancellor of the kingdom. He therefore drew up the real contract, no doubt. And, for *this* reason, he was asserted to have drawn up the mimic one. But the latter was asserted, also, to be *in his handwriting*. This was a very absurd addition in Murray. This was a wild extravagance of fiction. Though the chancellor might draw it up, the chancellor would certainly not engross it. And the very form and fashion of it shews it, *not* to have been even drawn up by the chancellor, or any other lawyer, at all. We need only compare the real and the mock rainbow together, to know which is the

one and which the other. The genuine contract, we see, exhibits itself in all the strong colouring of the law. The spurious attempts to present the same colours to the eye; but presents them faint from the reflection, and feeble in the repetition. The one holds up to us those delicacies of civilized life, which have always avoided to speak out on some incidents of our animal nature. And the other gives us that blunt loquaciousness of law, which dares to describe whatever we dare to do, and still pollutes all our marriage-contracts, with what is considered as the necessary ribaldry of legal exactness.

“ deliberatioun being had towert the personaige of
 “ him, with quhome hir Heines suld joyne in
 “ mariage; the maist part of hir nobilitie, be way
 “ of advise, hes humbly prayit hir Majestie, and
 “ thocht better, that she suld sa far humble herself,
 “ as to accept ane of hir awin borne subjectis on
 “ that state and place, that wer accustomat with the
 “ maneris, lawis, and consuetude of this countré,
 “ rather nor ony foreyne prince: and hir Majestie,
 “ preferrand thair advyse and prayers, with the
 “ weillfair of hir realme, to the advancement and
 “ promotioun, quhilk hir Hienes in particular
 “ mycht have be foreyne mariage, hes in that point
 “ likewise inclynit to the fute of hir said nobilitie.

“ And thay namand the said noble Prince, now
 “ Duke of Orknay, for the special personaige; hir
 Majestie,

" Majestie, well avyfit, hes allowit thair motioun
 " and nominatioun, and graciouſlie accordit thair-
 " unto (1) ; having recent memorie of the notable
 " and worthie actis, and gude ſervice, done and
 " performit be him to hir Majestie, alſwell ſen hir
 " returning and arrivall in this realme, as of beſoir
 " in hir Hienes's minoritie, and during the time of
 " government of umquhile hir deareſt moder of
 " gude memorie, in the furthſetting of hir Ma-
 " jeſtie's auctoritie aganis all impugnaris and gane-
 " ſtanderis thair of ; quhais magnanimitie, courage,
 " and conſtant trewth towert hir Majestie, in pre-
 " ſervatioun of hir awin perfoun from mony ewi-
 " dent and greit dangeris, and in conducting of
 " heich and profitable purpoſes, tending to hir
 " Hienes's advancement, and eſtabliſſing of this
 " countrie to hir perfite and univerſal obedience,
 " hes ſa far movit hir, and procurit

(1) Here is a continual alluſion to the bond of
 April the 19th—20th, recommending Bothwell as a
 huſband to Mary. She " hes bene preiſſit and
 " humbly requirit to zeild unto ſum mariage."
 This ſhe is ſaid to have been " weying, and taking
 " in gude part ;" in alluſion to the remiſſion, which
 ſhe ſigned the very day of the date of this contract,
 to all the ſubſcribers of the bond *. In this bond
 " the maiſt part of hir nobilitie, be way of adviſe,
 " hes humbly prayit hir Majestie, and thoct bet-
 " ter, that ſhe ſuld ſa far humble hirſelf, as to ac-

* Anderſon, i. 111.

"cept ane of hir awin born subjectis." So the bond itself says, that in case her Majesty would condescend "so farr to humble her selff, as prefer-
 "ring ane of her native-born subjectis unto all for-
 "rane princis, to take to husband the said Erle,
 "wee," &c. *. And they are said at last to have named Bothwell. Yet the spurious contract has omitted all this, and speaks only thus; "seeing
 "quhat incommoditie may cum to this realme, in
 "cace hir Majestie suld joyne in mariage with ony
 "forane prince of ane strange natioun, hir Heich-
 "nes hes thocht rather better to zeild unto ane of
 "hir awin subjectis." The author thus refrains studiously from all notice of the bond.

"It is observable," says Dr. Robertson, "that
 "amidst all the altercations and mutual reproaches,
 "of the *two* parties which arose in the kingdom,
 "this unworthy transaction," of signing the bond,
 "is *seldom* mentioned. Conscious on *both* sides, that
 "in this particular their conduct could ill bear exa-
 "mination, and would redound little to their fame,
 "they *always* touch upon it *unwillingly*; and *seem*
 "*desirous*, that it should *remain in darkness* or be
 "*buried in oblivion* †." But is the fact as here re-
 presented? Is the bond "*seldom mentioned*" after-
 wards, by *either* party? And does *the Queen and*
the Queen's party, in particular, "*seem desirous*
 "that it should remain in darkness, or be buried in
 "oblivion?" The rebels mention the bond in their
 journal, with this explicit language concerning it:

* Anderson, i. 110.

† i. 415.

"the

"the same nycht the lordis past the band efter
 "supper to the Erle Bothwell, being drawin se-
 "cretlie be him to the supper *." The rebels re-
 mention it at the York conference, in this very par-
 ticular manner. They "shewed unto us," say the
 English commissioners, "a copie of a bond bear-
 "ing date the 19th of Aprill 1567, to the which
 "the most part of the lords and counsaillors of
 "Scotland have put to their hands; and, as they
 "saye, more for feare, than any lyking they had of
 "the same. Which band conteyned two special
 "points, the one a declaration of Bothwell's purga-
 "tion of the murder of the Lord Darnley, and the
 "other a generall consent to his marriage with
 "the Quene, so far forthe as the lawe and her own
 "likinge shoulde allowe. And yet, in proufe that
 "they did it not willinglie, they procured a war-
 "rant, which was now shewed unto us, bearing
 "date the 19th of Aprill, signed with the Quene's
 "hand, whereby she gave them licence to agree to
 "the same; affirming that, before they had such
 "warrant, there was none of them that did or
 "wolde set to their hands, saving onlie the Earl of
 "Huntley.—It appeared also, that the self-same
 "daye of the date of this band, being the 19th of
 "Aprill, the Earl of Huntley was restored by par-
 "liament; which parliament was the occasion that
 "so many lords were there assembled, which, being
 "all invited to a supper by Bothwell, were induced
 "after supper, more for feare than otherwayes, to

• Appendix, N^o x.

“subscribe to the said bond, two hundred harke-
 “busiers being in the court, and about the cham-
 “ber-door where they supped, which weare all at
 “Bothwell’s devotion; which the said lords so
 “much misliked, that the next morning, by four
 “of the clocke, few or none of them weare left in
 “the towne, but departed without taking their
 “leave*.” This is certainly a very circumstantial
 account of the bond. It is dwelt upon again and
 again by the rebels. Yet the rebels, according to
 Dr. Robertson, “always touch upon it unwillingly,
 “and seem desirous, that it should remain in dark-
 “ness or be buried in oblivion.” But how do the
 Queen and her party act? They mention it as cir-
 cumstantially as the rebels. They mention it much
 oftener. And they even insist upon it, as a peculiar
 argument in their favour. In the instructions to
 her commissioners for the conference at York, she
 herself speaks of it thus: “gif thay alledge, that
 “my marriage with the Erle of Bothwell will be
 “ony presumptioun aganis me, ze fall answer, that
 “I never condescendit thairto, unto the time *the*
 “*greitest part of the nobilitie* had cleinsit him be
 “ane assise, and the samin ratifyit in parliament;
 “and *thay* had gevin thair plain consent unto him for
 “*my mariage*, and *solicited and perswadit me thairto*,
 “*as thair hand-writing, quibilk was schawin to me;*
 “*will testifie*†.” In the instructions too, which
 were given to the same commissioners by the nobles
 of Mary’s party, these equally dwell upon it in this

* Appendix, N^o. 7. † Goodall, ii. 342.

manner: "in cais it be alledgit, that the marry-
 "ing of the Erle Bothwel is ane greit suspicioun of
 "hir Hienes's knowledge, it is answerit; that befor
 "that ever that marriage was laid to hir Grace's
 "charge, *the maist part of the nobilitie*, and PRIN-
 "CIPALLIE of the usurparis, sic as the Erle Morton,
 "Lord Sempil, Lord Lyndsay, and Mr. James
 "Balfour, *gave thair consent to the Erle Bothwel* *."
 And, in reply to Murray's accusation at Westmin-
 ter, Mary's commissioners expatiate upon the bond
 in these terms: "gif he," Bothwell, "was princi-
 "pal auctor of the murder, the same was never
 "knowin nor manifestit to her Hienes; bot the con-
 "trare did weill appere to her Grace, be resson
 "the said Erle of Boythwell being suspectit, in-
 "dytit, and ordorlie summounit be the lawis of that
 "realme, was acquite be ane assyse of his peiris, and
 "the same ratifiet and confirmit be auctoritie of
 "parliament, be *the greitest part of the nobilitie*, af-
 "weill of the principallis, quhilk now withdrawis
 "thamefelfis sensyne from the Quenis Majestie
 "thair Sovereigne's obedience, as utheris hir fayth-
 "ful subjectis; quhilkis also *consentit and solisitit*
 "*our said Sovereigne to accomplish the said marriage*
 "*with him*, as the man maist fitt in all the realme
 "of Scotland; in so doing, promising him service,
 "and her Hienes loyall obedience; and *mony of*
 "*thame selfis gaif their bandis unto him*, to defend
 "him aganis all thais, quhasoever mycht challenge
 "or perfew him thairefter for the said cryme, at

* Goodall, ii. 361.

"*thair*

"*their hand-writings can testify* *." So frequently, and so circumstantially, do the Queen and her party notice the bond! And they even notice it *additionally and repeatedly*, in the marriage-contract before us. Yet the Queen and her party, says Dr. Robertson, "seldom mention" it, "always touch upon it unwillingly," and "seem desirous that it should remain in darkness, or be buried in oblivion."

Both her friends, and her enemies, notice it with a peculiar attention. Her enemies, we see, notice it twice, and once very circumstantially. They could not notice it in their copy of the contract, as her friends do in the original. It was not signed till the 19th or 20th of April, and *their* contract is dated the 5th. But they dwell upon it particularly in their journal, and they dwell upon it more particularly at York. They were the persons *principally*, who had subscribed it. Yet they were the persons, who now appeared to have subscribed it, only with the infernal view of ensnaring Mary. They therefore mention it in the journal, with the lying excuse, that they were drawn secretly to the supper by Bothwell. They therefore re-mention it at York, with another lye fabricated by themselves, concerning the harquebussers; and with even a writing forged by themselves, containing the Queen's licence; the one clashing violently with the other, and both clashing as violently with the lye of the journal before. They insist upon the bond; in

* Goodall, ii. 163—164.

order by falsehoods, by forgeries, and by contradictions, to exculpate themselves for signing it. Mary and Mary's partisans still more insist upon the bond; in order to vindicate the propriety of the Queen's conduct, and to expose the villainy of her rebels, by repeated appeals to it. And Dr. Robertson, I fear, knew these facts too well, to be deceived concerning the history; wanted only to cover the villainy from view; so threw out a reflection, which is opposed by evidence; and then founded on it an accusation, which is contradicted by facts, and which meant only to screen the rebels, by involving the royalists with them.

“hir favour and affectioun, that abusif the com-
 “moun and accustomat gude grace and benevo-
 “lence, quhilk princes usis to bestow on noble
 “men, thair subjectis, weill deserving, hir Majestie
 “will be content to reslave and tak to hir husband
 “the said noble Prince, for satisfacioun of the
 “hartis of hir nobilitie and people (1); and to the
 “effect, that hir Majestie may be the mair able to
 “governe and rewill hir realme in time to cum
 “during hir lyfetime, and that yssue and succes-
 “sioun, at Godis plessour, may be productit of hir
 “maist noble persoun, quhilkis, being sa deir and
 “tender to hir said dearest sone, estir hir Ma-
 “jestic's deceis, may befoir all utheris serve, ayd,
 “and comfort him.

“Quhair-

“ Quhairforè the said excellent and michtie
 “ Princeffe and Quene, and the said noble and po-
 “ tent Prince James Duke of Orknay, fall, God
 “ willing, solemnizat and compleit the band of
 “ matrimony, ather of thame with uther, in face of
 “ haly kirk, with all guidlie diligence.

“ And als hir Majestie, in respect of the same
 “ matrimony, and of the successioun at Goddis
 “ plesour to be procreat betwix thame, and pro-
 “ ducit of hir body, fall in hir nixt parliament
 “ grant a ratificatioun, with avise of hir thrie es-
 “ tatis (quhilk hir Majestie fall obtene), of the in-
 “ festment maid be hir to the said noble Prince,
 “ than Erle Boithvile, and his airis maill to be
 “ gottin of his body; quhilkis sailzeing, to hir
 “ Hienes and hir crown to return; of all and hail
 “ the erldome, landis, and ilis of Orknay and lord-
 “ ship of Zetland, with the holmis, skerreis, quy-
 “ landis, outbrekkis, castellis, touris, fortalices,
 “ manor-places, milnis, multuris, woddis, cunyng-
 “ haris, fisheingis, alsweill in freshe watteris as salt,
 “ havynnis, portis, raidis, outseittis, partis, pendi-
 “ clis, tenentis, tenendries, service of frè tenentis,
 “ advocatioun, donatioun, and richt of patronage
 “ of kirkis, benefices, and chapellanries of the
 “ samyn, liand within the sheriffdom of Orknay
 “ and fowdry of Zetland, respectivé, with the toll
 “ and custumis within the saidis boundis, togidder
 “ with the offices of sheriffship of Orknay and
 “ fowdry of Zetland,

(1) All these amplifications of praise upon Earl
 Bothwell,

Bothwell, so natural to a contract of marriage between a Queen and one of her subjects, are wilfully omitted by the *copy* of it. The whole is condensed into these words; "hir Majestie findis nane
 " mair abill, nor indewit with better qualiteis, then
 " the richt nobill and hir deir cousing, James Erle
 " Bothwell, &c. of quhais thankfull and trew service
 " vice hir Heichnes, in all tymes bypast, hes hed
 " large prufe and infallibill experience." And the intimation, that Bothwell's services to her and to the Queen Dowager, together with the recommendation of him by the nobility, have so far procured her favour and regard for him, as to make her content to receive him for her husband; is changed into something very different. "Séing not only
 " the same gude mynd constantly persevering in
 " him," she is *made* to say, "bot, with that, *ane inward affection and partly lufe towardis hir Majestie*;" she takes him for her husband.

"and office of justiciarie within all the boundis als
 " weill of Orknay as Zetland; with all the privileges, feis, liberteis, and dewteis perteing and
 " belanging thairto, and all thair pertinentis, erected in ane haill and fré Dukry, to be callit the
 " Dukry of Orknay for ever: and, gif neid be, fall
 " mak him new infestment thairupon in competent
 " and dew forme; quhilk hir Majestie promittis in
 " verbo principis.

"And

" And in cais, as God forbid, thair beis na airis
 " maill procreat betwix hir Majestie and the said
 " Prince, he obliffis his utheris airis maill, to be
 " gottin of his body, to renounce the halding of
 " blanche ferme contenit in the said infestment,
 " takand alwayes and ressavand new infestment
 " of the saidis landis, erldome, lordship, ilis, toll,
 " custumis, and offices above writtin, and all thair
 " pertinentis erectit in ane Dukry, as said is; quhillk
 " name and titill it fall alwayes retene, notwith-
 " standing the alteratioun of the halding; his saidis
 " airis maill, to be gottin of his body, payand
 " zerlie thairfoir to our said Soverane Ladyis suc-
 " cessoris, or thair comptrollaris in thair name, the
 " soun of twa thousand poundis money of this
 " realme, like as the samyn was sett in the tyme of
 " the Kingis grace, hir gracious fader of maist
 " worthy memorie.

" Mairover, the said noble and potent Prince
 " and Duke obliffis him, that he fall nawyse dis-
 " pone nor put away ony of his landis, heritaigis,
 " possessiounis, and offices present, nor quhillk he
 " fall happin to obtene and conquests herefter during
 " the mariage, fra the airis maill to be gottin be-
 " twix him and hir Majestie; bot thay to succeid
 " to the same, als weill as to the said Dukry of
 " Orknay.

" Furthermair, it is concluded and accordit be
 " hir Majestie, that all signatours, lettres, and writ-
 " tingis, to be subscrivit be hir Majestie in tyme
 " to cum, efter the completing and solemnizatioun
 " of the said mariage, other of giftis, dispositionis,
 " "graces,

"graces, privilegis, or utheris sic thingis quhat-
 "sumevir, sal be alsua subserivit be the said noble
 "Prince and Duke for his interesse, in-signe and
 "takin of his consent and assent thairto, as hir Ma-
 "jestie's husband. Likeas it is alsua agreit and
 "accordit be the said noble Prince and Duke, that
 "na signatours, lettres, or writtingis, ither of giftis,
 "dispositionis, graces, privilegis, or uther sic thingis
 "concerning the affaires of the realme, sall be sub-
 "scrivit be him onlie, and without hir Majestie's
 "avise and subscription; and gif ony sic thing
 "happin, the samyn to be of nane avale.

"And for observing, keeping, and fulfilling of
 "the premissis, and every point and article thairof,
 "the said noble and mychtie Princeesse, and the said
 "noble Prince and Duke, hes boundin and oblisit
 "thame faithfullie to utheris; and ar content and
 "consentis, that this present contract be actit and
 "registrat in the buikis of counsell and sessioun,
 "ad perpetuam rei memoriam: and for acting
 "and registering heirof in the said buikis, hir Ma-
 "jestie ordanis hir advocattis, and the said noble
 "Prince and Duke hes maid and constitute Maist-
 "ter David Borthwick, Alexander Skene, his pro-
 "curatoris conjunctlie and severalie, promittand de
 "rato.

"In witness of the quhilk thing, hir Majestie,
 "and the said noble Prince and Duke, hes sub-
 "scrivit this present contract with thair handis,
 "day, zeir, and place foirsaidis: befor thir wit-
 "nessis, ane maist Reverend Fader in God, Johne
 "Archiebishop of Saint Andrewis, commendatar of
 "Paisly,

" Paissy, &c. ; George Erll of Huntlie, Lord Gor-
 " doun and Badzenach, Chancellor of Scotland,
 " &c. ; David Erll of Crawford, Lord Lindsay, &c. ;
 " George Erll of Rothes, Lord Leslie ; Alexander,
 " Bishop of Galloway, commendatar of Inchaffray ;
 " Johnne, Bishop of Ross ; Johnne Lord Fleming ;
 " Johnne Lord Hereis ; William Maitland of
 " Lethington younger, secretar to our Soverane
 " Lady ; Sir Johnne Bellenden of Auchnoulle,
 " Knight, Justice-clerk ; and Mr. Robert Creych-
 " ton of Eliok, Advocate to hir Hienes ; with
 " utheris divers.

" MARIE R.

" JAMES Duke of Orknay."

On the back,

" xiiii. Maii, 1567.

" *Comperit personalie the Quenis Majestie, and*
 " *James Duke of Orknay, &c. and desyrit this con-*
 " *traitt to be registrat, &c. in presens of the Clerk of*
 " *Register, &c. of quhais command I haif registrat*
 " *the samin.*

" J. Scott."

§ IV.

Such are the three contracts of marriage, between Mary and Bothwell! But why are they three in number? Because two of them are only copies of the third. But why were these copies made? For the sake of flandering Mary, by contracts *prior* in date to the original, by contracts formed *before* the divorce was made, by contracts formed *before* the suit was *begun* for a divorce.

But what is the meaning of a marriage-contract? It is to ascertain the respective rights of the parties, and to draw the line of property and power exactly between them. Such is the original above. And are the copies such? No! They ascertain no rights. They draw no line, either of power or of property. As marriage-contracts, therefore, they are obviously absurd.

They can be considered only as formal *engagements*, though they avow themselves to be equally contracts with the original. Let us then consider them as *engagements*. And let us see, whether they will be less absurd.

The *first* of them can only be an engagement upon *one* side. It binds only Mary to take Bothwell. It binds not Bothwell to take Mary. Was Bothwell then afraid that Mary would jilt him, and Mary *not* afraid that Bothwell would desert her? In the letters she is represented as conti-

nually afraid of this. And yet *she takes no written engagement from him*. So contradictory are the letters and the first contract, concerning *Mary*! But Bothwell, it seems, *was* afraid. He therefore *obtains a written engagement from Mary*. And yet he is described in the letters as *not* afraid, as very cool in his returns of affection to *Mary*, and as even shrinking back from the open arms of *Mary*. So contradictory are the letters and the first contract, concerning *Bothwell*!

A written engagement, however, is pretended to be given by *Mary*. But why was it not *dated*? Could the date be *naturally* omitted? And, un-dated as this is, how comes the other to be called the *second* by the rebels? Because it was *originally* dated. It was dated in the end of April or beginning of May. This the hint of denied constraint plainly points out to us. A resolution was afterwards taken, to consider it as much earlier; and to superadd another to it, much larger and more formal, dated the 5th of April, and written in imitation of Lord Huntly's hand. The date was accordingly taken away. But the hint of constraint was unwarily left. And the new was ordered to rank as second to the old.

The first is still existing in Murray's own original. It is apparently *not* written by *Mary*, as Murray pretended it was. It is apparently spurious, therefore. And the spuriousness of this demonstrates the other to be spurious also. They are both derived from the same hands. The other refers to this, as the second to the first. And the other

other thus presumes to give a date to this, when this has none in itself.

But, un-dated as the first is, what becomes of it when it is pretendedly written by Mary? It is given to Bothwell. It is his security for Mary's marriage of him. But what *need* is there of any security in the present case? Mary is forward enough of herself, not to need any bond upon her. Bothwell is backward enough, not to solicit or to receive any bond from her. So plainly do the letters contradict the contracts again. Even if there was any need of such an engagement, of what *use* could it be? Bothwell could not mean to prosecute the Queen upon it, if she should jilt him. And, without such a meaning, what end could the writing serve?

This however being given to Bothwell, as with Bothwell it was averred to be found; what slightest need could there possibly be for *another* engagement? Is not *one* sufficient? Or will *two* bind, when one cannot?

Perhaps indeed Mary may *now* expect a counter-engagement from Bothwell, and the *second* contract is to be of *this* nature. Yet it is not. The second is a mutual engagement of both. Mary, already engaged by a contract subscribed *and written* by herself, is now engaged again by a contract in Huntly's hand-writing, which is only subscribed by her. And Bothwell now engages, not by a stipulation in his own hand-writing, like Mary, but only by a subscription to this contract of Huntly's. Bothwell therefore obtains two securities from

Mary, when by the letters he wanted not *one*. And Mary obtains only *one*, when by the letters she should have grasped at *two* or more.

But now perhaps, when the mutual engagement has been mutually signed, Mary's own engagement will be given up again by Bothwell. Yet it is not. It is still left with Bothwell. And with Bothwell it is finally averred to be found.

Where then is the *second* engagement lodged? This will certainly not be left with Bothwell. It is a *mutual* one. It will therefore be deposited with my Lord Chancellor, who drew it up. So it certainly should have been. Yet it was deposited, as the eighth letter hints to us, in the *Queen's* hands. And, as the rebels themselves inform us, it was actually left in *Bothwell's*, and actually found with the *first* in *Bothwell's* box of papers. So contradictory are the letters and the contracts again! But my Lord Chancellor thus drew up a formal engagement between Mary and Bothwell, and yet left it in the possession of one of the parties. Mary thus had obtained at last a personal engagement from Bothwell to marry her, and yet, in direct contradiction to the whole spirit and soul of the letters, permitted him to keep it himself. And Bothwell had thus gained a formal engagement from Mary, drawn up by the Lord Chancellor, and attested by him and another; and yet resigned it up to the care of Mary herself.

Such a chain of absurdities is the history of these two contracts! Every distinct link is a distinct absurdity. And the whole forms a new and wonderful

derful proof of their common forgery. But there is one absurdity still greater, and one proof still stronger, behind.

When Mary signed the *real* contract with Bothwell, she was just on the point of a marriage with him. The suit of divorce from his former wife had been commenced by her, and had been begun by him. It had even been decided in both cases. It had been decided in favour of the divorce. And Bothwell was at full liberty to contract and to marry again. The divorce was pronounced on the 3d and 7th of May. She signed the real contract on the 14th. And she was married on the 15th*. Here all is natural and proper. But, when she is made to subscribe the spurious contracts, we see this natural scene of things totally reversed. Then my Lord Chancellor is employed to draw up, and even to write out, a contract; though the marriage is not to take place till some indefinite time afterwards, and though, as it hangs upon the eventual issue of a suit, it may not take place at all. And a Queen enters into a formal and solemn contract of marriage, under the sanction and with the attestation of her Lord Chancellor, even while Bothwell *has yet a wife*; even when Bothwell has not yet *begun* a suit of divorce against her; even when, if he had, neither the Queen nor he could be *sure* of the conclusion; and even when, if they could, no Queen would consent, and no Lord Chancellor

* Robertson, ii. 450—451; and Appendix, No. x.

agree, to make a *formal* contract of marriage for her.

To represent them as doing so, therefore, is such an extravagance of conceit, as closes the long train of absurdities at once. Nothing can go beyond this. When the imagination is let fly into the wilds of invention, it naturally kindles with its own course, it begins to look down with contempt upon the regions of nature and probability below, and

Speciosa dehinc miracula promit,
Antiphaten, Scyllamque, et cum Cyclope Charybdim.

And daring forgery almost always betrays itself to the judicious eye, by some monstrous incredibilities of fiction.

Of this, Murray himself appears to have been fully sensible at the time. That a Queen should engage in a solemn contract of marriage with a *married* man, and that a Lord Chancellor should draw it up, should write it out, and should attest it; was something so apparently miraculous, that he thought even the credulity of his associates would revolt at it. He therefore made my Lord Chancellor to insert, the Queen and Bothwell to subscribe, and my Lord Chancellor himself to testify, a plain and positive LYE in the contract. He made them all concur in affirming under their hands, that the suit of divorce was ALREADY BEGUN; when it was not begun till many days afterward. He thus ventured boldly upon a gross anachronism, in order to cover a glaring absurdity. He thus exposed

posed his contract to a detection from history, to guard it against a detection from nature. And he actually left it exposed to a detection from both.

But, before I close, let me subjoin one remark resulting from the whole. We have seen the letters contradicting each other. We have seen the sonnets contradicting the letters. And we now see the letters contradicted by the contracts. The three grand elements of the forgery, are thus in a perpetual state of hostility between themselves; each laying open the falshood of the other, and all uniting to prove the forgery of all.

CHAPTER THE FIFTH.

HAVING thus gone over the letters, the sonnets, and the contracts, with an examining eye; and having pointed them out with the sure finger of truth, I think, to the merited scorn and derision of mankind; I shall now close the work, with an ample explanation of the murder of Darnly. This murder is the fixed pivot, upon which the contracts, the sonnets, and the letters equally move. It is the grand centre of gravity, to all this vast system of forgery. I propose, therefore, now I have made my tour of the system, to dig down to its centre. I mean to lay open all the principles that produced, and to unfold all the circumstances that attended, the murder. This has never been done yet. The public has only a confused and indistinct idea, of that very singular incident. And I undertake to give it a clear one; because the undertaking will terminate, I see, in a still fuller, a still stronger, and a still more pointed vindication of Queen Mary.

§ I.

Buchanan published a train of CONFESSIONS concerning the murder, at the end of his Detection, sonnets, letters, and contracts. But they are all spurious, the creation of a genius, that seems to have delighted itself in the boldness of its own falsehoods, and to have rioted in the luxury of its own forgeries. They thus form a very proper conclusion to the letters, the sonnets, the contracts, and the Detection. And the whole work goes on from the beginning to the end, in one uniform and unvaried tone of fabricated calumny.

Servatur ad imum

Qualis ab incepto processerit, et sibi constat.

That this is the case with his confessions, may be easily shewn. They are designed to be the same with those, which were really or pretendedly made by some of Bothwell's followers, and were really or pretendedly existing upon record at the time. They are accordingly said expressly, to have been made in the TOLBOOTH of Edinburgh *, the building in which the parliament was held †, the privy council assembled ‡, and the lords of session convened for the trial of civil or criminal causes §. In this structure, Bothwell was tried for the murder of the King ||. In this his followers were equally tried ¶.

* Detection, 160 and 161, Anderson.

† Robertson,

ii. 321.

‡ Keith, 331.

§ Goodall, ii. 250 and 242.

|| Anderson, i. 52.

¶ Anderson, ii. 188.

In this, also, the rebel lords assembled for business *. And in this, therefore, would their previous examination of Bothwell's followers be made. Yet, the moment we compare Buchanan's with the originals, we detect the imposition which he designs to practise upon us.

He expressly refers to the originals twice. At one time he cites them, for a circumstance concerning Mary in the confession of George Dalgleshe, "quhilk his confessioun," he says, "ZIT REMANIS OF RECORD †." At another he appeals to them, for all the circumstances in the execution of the murder. "The haill ordour of the doing thair of," he says, "may be esilie understand [understood] by thair confessiounis, quhilk wer put to death for it †." Yet this order, and that circumstance, are not to be found in *his* depositions. I note not this, however, in order to shew a difference between his and the others. I am willing to excuse where I can. I therefore suppose, that *his* were calculated only to give the sum and substance of the others. But the pen, which loved to sport with facts, could not content itself with fidelity, even in reciting confessions. He has made many additions, which are merely of a harmless nature. He has made some, however, that are very different. His spirit could not long confine itself, within the bounds of harmlessness. The serpent may appear for a time, playing in wanton curls upon the ground. It will soon, however, rise upon its spires, and shew its en-

* Keith, 426.

† Detection, 9, Anderson; and 240, Jebb.

† Ibid. 22, Anderson; and 244, Jebb.

venomedfang. And Buchanan returned to his natural exercise of fictitious slander.

Archilochum proprio rabies armavit ianbo.

He accordingly inserts in one of the confessions, an intimation against Sir James Balfour, as if he had a share in the murder, and was even "the principall counsellar and devyser" of it*. Yet there is not the most distant hint of a charge like this, in the originals †.

But this Leviathan of slander was not satisfied, with taking such gentle pastime in forgery. He must raise a tempest for his recreation. He must charge the QUEEN herself, with a participation in the murder. He must even assert the existence of some papers, as seen by one of the culprits, and "acknowledging the Quenis mynd yairto‡." And yet, all the while, the originals themselves, even as given us by the rebels themselves, presumed not to breathe the slightest whisper of murder against her.

Nor let us wonder at this astonishing audacity in Buchanan. An audacity, even still more astonishing, in *form* at least, if not in *substance*, which he shews in the Detection itself, may make us to stare with less amazement at this. He there informs us,

* Detection, 159. Anderson.

† Buchanan gives the intimation to John Hepburne; but, in John's confession, even the name of Sir James is never mentioned or alluded to.

‡ Detection, 160. Anderson.

that

that the Queen, and one of her bed-chamber women, let down an old and heavy lady by a string from the top of a high wall by night; that the string broke, the old lady fell, but recovered herself, rose, and executed her commission; that she forced into Bothwell's house, forced into his bed-chamber, tore him from the arms of his wife, and dragged him out of his bed; and that then she carried this young warrior, half-asleep, half-naked, over the high wall, into the Queen's bed-room. Such tales, so pregnant with absurdity, did this man of great abilities suffer himself to relate! Yet "this manner and circumstances of the deed," he says, "not onlie the maist parte of shame that than were with the Quene have confessit, bot also GEORGE DAGLISCHE, BOTHWELLIS CHALMERLANE, A LYTILL BEFOIR HE WAS EXECUTIT, PLANELY DECLAIRIT THE SAME; QUHILK HIS CONFESSIOUN ZIT REMANIS OF RECORD *." Such was the assurance of the wretch, as to refer in form to a record for a slander, when the record itself does not contain a single syllable concerning it,

But it was happy for the reputation of Mary, that he had such assurance and such absurdity. His malignity acted with all the force of a pestilential blast upon his discretion. The daring calumniator sunk into an impassioned idiot before it. And he stands on the pillar of infamy at present,

* Detection, 9. Anderson; 239—240, Jebb.

for his Detection, his sonnets, and his depositions, the second of all human forgers, the first of all human slanderers; but baffled in his forgeries, and defeated in his slanders, by his very rage for both.

§ II.

Buchanan's confessions, then, are all spurious. Nor are the original confessions genuine. They assume, indeed, all the forms of authenticity. But they are not authentic. They were presented by the rebel commissioners at Westminster, upon the famous 8th of December; when, as the journal of our own commissioners says, they "did produce and shew "three several wrytings in Englishe, subscribed and "signed by Sir John Bellendyn, knight, justice- "clerk in Scotland *." And their copies are our originals at present; all the records of the court of justiciary having been long lost for this period, and all our knowledge of these confessions coming through the polluted medium of the rebels †. Of such men we cannot be too suspicious. We have seen them already polluted with the most infamous forgeries, that the wide history of human profligacy exhibits to our view. Nothing seems to have been too base for them to do. They had, I fear, a head to contrive, a heart to approve, and a hand to execute, the worst villainy that the worst villains of any age have performed. Every paper therefore, that comes from them, and is of service to them, for that reason cannot but be suspected of forgery; and must submit to a strict examination, before it can be ad-

* Goodall, ii. 235.

† Anderson, i. Pref. x.

mitted.

mitted. But we need not rest upon suspicions, in the present case. We can produce more substantial evidences.

It is incredible, that any men should make such confessions as these are, to the destruction of their own lives, without any apparent necessity for it; without the appearance of one witness produced against them, of one torture applied to them, or of their being even confronted one with the other *. It is more incredible, even if they did make them, that different persons, at different, and even distant, periods of time, in June, September, and December, should use exactly the same words, and the same combinations of words, in their several narratives †. It is still more incredible, that persons meeting at midnight in the streets, and just after the change of the moon, should yet know one another at once; should yet mark accurately the way, by which each of them went off; or, where they did not do this, should yet distinguish the cloaks, which some of them had before their faces, and, what is still more, should even discern the slippers, which some of them wore upon their feet ‡. Nature flings a thousand varieties over incidents. Art is dull and uniform. And none, but the great Dramatic Representative of lyars, would have thought of noticing the "Kendal green"

* Goodall, i. 385.

† Ibid. 386.

‡ Ibid. 396; and Anderson, ii. 166, "quhilks had cloakes
"about yare faces," and 172, "quhilkis had yare cloaks,
"and mulis [slippers] upon yair feet."

of his knaves, when "it was so dark that he could not see his hand."

But there are also many contrarieties in the confessions, by which each counterpoises the other, and both are destroyed. I shall particularly dwell upon one set of them, because it is one, because it concerns one and the same incident, and because it comes from one and the same person. William Powrie swears on the 23d of June, that he and Patrick Wilson took "ane carriage of twa mailis and ane tronk, and ye uthir an leddirin mail, quilks wer lyand in the said uthir hall," the lower room of Bothwell's lodgings at Holyrood-house; "quilks the deponar and the said Pat put on and chargit upon *twa horses of my lordis*, THE ANE BEING HIS SOWN [OWN] HORSE;" and yet, on the 3d of July, re-swears, "yat the carage of the tronk and mail, contentit in his former deposition, were carryed by him and Pat Wilson;" *not* upon *twa* horses of my lord's, and one of them his own, but "upon ANE gray hors yat PERTAINED TO HERMAN, PAGE TO MY LORD, at TWA SUN-DRY TIMES *." But Powrie confirmed his account

* Anderson, ii. 166. and 171. Of this Herman, page to Bothwell, we have mention again in a letter from Morton, &c. to Denox, 1570. "For the paige," they say, "we understand his name for to be Herman, quha, as we haif gotten knowlege, came furth of Scotland, and enterit in England at the Eist marche, disagyfiv in his apparell; passing on fute in a blew coit, a blew Scottis cape on his brid, and a fork on his shulder, as the common customs of the northern
" pepill

count of the 23d of June by *this* remembered incident, that, on their return back out of the yard at Black Friars to the gate, "THE TWA HORSS," which they had left there while they carried in the powder, "war away," and they were obliged to go back to Holyrood-house without them. And he corroborated his account of July the 3d by *another* incident, of a contrary nature, and yet equally remembered, which was, "yat at the LAST horse cariage he bare up ane toome [empty] pulder barrel to the same place yai carriet the pulder, and yat he wist not how, nor be quhome, the same came in the Erle Bothweil's ludging in the Ab- by *." Such gross contradictions are there, in this one man's depositions. But there are still more. In the former, when he came to the gate of the Black Friars, he and Wilson were met by "the Erle Bothwell, acumpanit with Robert Ormestoun and Paris, called French Paris, and utheris TWA quhilks *had cloakes about yair faces*." In the latter, "quhan the deponar and Pat Willson come to the Frier Zet [gate] with the last convoy, and laid the same down, Robert Ormestoun come forth, and said," &c.; and "at the same time yat the deponar and Pat Willson laid down the last cariage at the said Frier Gait, the E. Bothweill came unto yame utwith [without] the Frier

"*pepill is to gang*." He "be appearance will tak his course to Denmark," where his old master was then in prison (Goodall, ii. 383).

* Anderson, ii. 167, and 172.

"Zet, ACCOMPANYIT with THREE more, quhills
 " *bad yare cloaks, and mulis upon yair feet* *." And,
 to notice only one more contradiction, the first part
 of the *first* deposition asserted him and Wilson, to
 have taken "TWA MAILLES and ane tronk" in one
 load, and "an leiddirin mail" in another; but in
 the succeeding parts the "twa maills" are for-
 gotten, "the saids twa charges" being shrunk into
 "the said maill and tronk;" and yet, though the
 second deposition continues at first to speak of "the
 "tronk and maill," it soon changes its tone, and
 makes up for what it has taken away, by adding
 "ane toome pulder barrel" to the whole †. With
 such a negligent industry have these confessions
 been put together, that one man, speaking at the
 distance only of ten days; speaking of a general and
 a very memorable fact, which happened only four
 or five months before; and speaking of circum-
 stances, which he must have remembered as well as
 he remembered his own presence at the whole;
 violently and repeatedly gives himself the lye.

But infinite is the absurdity, in the *general* air
 and complexion of the confessions. The men take
 up the trunk and the mails of powder at Holyrood-
 house, load them upon two horses at one time, or
 upon one at two times, and carry them away into
 the city and to Kirk-a-field, betwixt ten and eleven
 o'clock at night; when, by their own account, there
 are centinels at the palace, there is a gate to the

* Anderson, *ib.* 166, 171, 172.

† *Ibid.* *ibid.* *ibid.*

city, and a porter to the gate; and the Queen is expected speedily to return from the city and Kirk-a-field to the palace; to the very place from which they are setting out, from the very point to which they are going, and by the very course in which they are moving betwixt both *. They even do more than this. They go up to the King's house with their bags of powder; they enter the portal, they enter the house, with them upon their backs, or under their armitis; and they go with them into the Queen's bed-room there. They also take a large powder-barrel; they take a tree "holit and howkit like an troch," to be put to the hole of the barrel; they take both into the portal and into the house; and they endeavour to force the former, into the Queen's bed-room. They find it too large, they therefore bear it back again; they pour all the powder loose upon the floor; and then they carry back the bags in which it came †. And they do all this at a time, when the Queen is actually in the house; when she, and the King, and some nobles, are actually in the King's bed-room over-head; when the King's attendants must be in the other apartments, or at the door; when the nobles must equally have servants attending upon them, and in or about the house; and when the Queen, of course, has a larger train than either with her, has men carrying torches to light her, and has Lady Reres sitting for her

* Anderson, ii. 166, 171, 168, 181, and 185.

† Ibid, 166, 167, 180, 178, 181, and 186; and Goodall, ii. 244, "portell-duris."

some time on horseback, not far from the door*. All this amounts to such a collective evidence against the depositions, as, even if they came to us in the fairest and most unquestionable manner, would destroy their credibility for ever; and, with the imbecility which they derive from their origin, must crush their authority under it.

But we need not rest our objections, even upon all these powerful reasons together. We may carry the argument still higher. We may point out a gross anachronism in the dates of two of them. And then we may mount up the natural incredibility of the whole, into an absolute impossibility.

I have formerly shewn, that Powrie and Dalgleish were not *seized* by the rebels, before the 17th or 18th of July. The evidence is a cotemporary letter, one of Throgmorton's dispatches to Elizabeth. This ambassador, writing successively from Edinborough on the 14th, 16th, and 18th of July, recites all the intelligence that he can procure, and all the news that he can collect, on each of these days respectively. And on the 18th he informs the Queen, that "the Earl of Bothwell's PORTER, "and one of his other SERVITORS OF HIS CHAMBER, "being apprehended, have confessed such sundry "circumstances; as it appeareth evidently, that he "the said Earl was," &c. † Bothwell's porter was Powrie, and Bothwell's chamberlain was Dalgleish; the former being expressly called "fervi-

* Anderson, 181, and 167; Appendix, No x.; and Detection, 77. Anderson, 263, Jebb. † Robertson, ii. 377.

“tor and porter to the said Erle,” in the depositions of Dalgleishe himself* ; and Dalgleishe being equally called “servande in the chalmer to the “Erle Bothwell,” in his own depositions †. These were both seized together, and both on the 17th or 18th of July. Yet their depositions are dated, Powrie’s on the 23d of June and the 3d of July, and Dalgleishe’s on the 26th of June ‡. Here, therefore, the anticipation of time is very great. And it serves to convict the depositions of forgery, by a short reference to chronology, at once.

But the depositions all terminate in this, that the powder, by which the King and his house were blown up, was laid loose upon the floor of the Queen’s chamber, the chamber immediately under the King’s, and there set fire to. Bothwell told them, says John Hay the younger, “the pulder “mon be laid in the house under the Kingis chalmer, quhaire the Queene suld lye §.” “Paris “the Frenchman,” he adds, “was in the nedder “house, under the Kingis chalmer—; and yan yay “tuk all the polks, and carried yame within the “said laich house, and temit [poured] yame on “the flour in an heip, and the polks weir taken “furth again ||.” And “the pulder being put in “polks,” says John Hepburne, they “had in the “pouder, and tuming [pouring] it furth of the “polks in ane bing and heip upon the flur, evin “directly under the Kingis bed, and yan—twa

* Anderson, ii. 174.
171, and 173.

† Ibid. 173.

‡ Ibid. 165,

§ Ibid. 178.

|| Ibid. 181.

"houres after mydnight—fyrir*." Such is the main scope of all the depositions! Yet all this is absolutely impossible to be true. Powder so laid *might* have blown up the King, the King's chamber, and the roof over it. But it could not have blown up the *lower* parts of the building. It could not have blown up the *vaults* below. It could not have blown up the *foundation-stones* of the whole. Yet all these were equally affected with the King's chamber. The whole house was blown up, from the top to the bottom, and from one side to the other. The very vaults were sent into the air. And the very foundation-stones were either swept away or torn to pieces, by the explosive force from beneath. In a letter written by Mary herself only the very day after the fact, it is thus described: "this night past, being the 9th February, a litle after twa houres after midnight, THE HOUSE, quhairin the King was logit, was in ane instant BLAWIN IN THE AIR, he lyand sleipand in his bed, with sic a VEHEMENCIE, that of THE HAILL LOGING, WALLIS, AND OTHER, THARE IS NATHING REMANET, NA, NOT A STANE ABOVE ANOTHER, BOT ALL OTHER [either] CARREIT FAR AWAY OR DUNG IN DRESS, TO THE VERY GRUND-STANE †." A proclamation also, which was published the very day after this letter was written, speaks exactly the language of it; informing us, that "at twa houres efter midnycht THE HOUSE, quhair umquhile the Kingis Grace was, ludgeit, was in ane instant BLAWIN

* Anderson, ii. 186.

† Keith, Pref. viii.

"UP IN THE AIR,—with sic a force and vehemence, that of the hail ludging, walling, and uther, thair is nathing left unruinated and doun in drosse, to the verie ground-stane *." Both shew the powder to have been lodged, below the foundations of the building. And the Queen accordingly subjoins: "it mon be done be force of powder, and ~~affer~~ is to have been a myne †." This has all the energy of a demonstration against the confessions. It reduces the grand assertion within them, into a self-evident falshood.

But let us add two other accounts of this amazing deed of mischief. A few years afterwards, two of the actors in the work were successively arraigned for it. The indictment of one of them stated, that he and his associates "burned the house, and blew it up in the air by the force of gunpowder, which, for that purpose, they had recently conveyed into vaults, and other low and dark places under ground." And the indictment of the other asserted, that, a little before the murder, "the powder had been put by him and his accomplices under the ground, and angular stands, and within the vaults, low and dern parts and places, of the lodging †." Indeed so apparent was the fact,

* Anderson, i. 36. † Keith, Pref. viii. † Goodall, i. 146—147, who first suggested the argument. These trials have been very recently published by Mr. Arnot, in his Criminal Trials of Scotland, 1785. One indictment, p. 390, runs thus

fact, that even Buchanan himself did not dare to misrepresent it; while it was yet fresh upon the memories of all; and that even he, in his Detection, asserts the murder to have been effected by a mine, though in his History he recurs to the impossible tale of the confessions. Thus he informs us, "that the Kingis ludgeing was, EVIN FROM THE VERRAY FOUNDATIOUN, BLAWIN UP IN THE AIR*." He also speaks of "the noyes [noise] of THE UNDERMYNERIS wirking †." And he affirms, that they had UNDERMYNIT THE WALL, and "FILLIT THE HOILIS WITH GUNE-POWDER †."

The

thus in the Scotch; that he burned the King's "haill lodges" ing forsaide, and raised the samen in the aire be force of gun-poulder, qlke a lytle afore was placit and imput be him and "his forsaids under the grund, and angular stands, and within the voltis, laich and dernè pairts and places, y^eof." The other is in p. 9. * Detection, 23, Anderson, 244, Jebb. † Ibid. 72, Anderson, 262, Jebb.

‡ Ibid. 70, Anderson, 261, Jebb. — A new confession is published by Mr. Arnot, that of John Ormiston, lord of Ormiston (383—388). At the trial also of one of the murderers in 1586, the King's advocate exhibited a confession "by the late James Ormestoun of that ilk" (Arnot, 16). But these and all the others prove themselves to be forgeries, by a circumstance common to them all. Some of the rebels I shall shew hereafter, to have been personally concerned in the murder. Yet, because they were rebels, employed by the usurpers, and acting with a view to the usurpation, *all these confessions unite in CAREFULLY SUPPRESSING THEIR NAMES.* These all pretend to be made by the friends and retainers of Bothwell. Yet their makers suppress every name but THEIR OWN. Bothwell and his confederates are studiously particularized. But all their rebel associates are even more studiously

The depositions then appear demonstrably false, even in the great and main point of all. They appear

studiously omitted. Even Gairner and Binning, even Archibald Douglas, even the Earl of Morton himself; who were all upon the ground at the time, who were all engaged in the work, and one of whom, particularly, was afterwards sworn against by some of the very ACTORS in the work, as I shall shew hereafter; all, all are wilfully omitted in the depositions. This is a full evidence of itself, that the depositions have been essentially falsified, or, in other words, that they are impudent forgeries. The admission of a single falsification within them, corrupts and taints the whole. And, when one of the *rebel* murderers came to be tried for the murder in 1586, he even alledged the confessions of James Ormeston, John Hay, and Paris, as *proofs of his innocence*; because they “described the whole circumstances of the murder committed—, without making any mention of him” (Arnot, 17).

I wish, however, to make another remark upon the confessions of Ormeston. These are only ONE, though they appear as two above. The *John* and the *James* Ormeston of each are actually one person, divided into two by a blunder of the pen or the press. On December the 8th, 1567, the rebels exhibited in London “the judgment and condemnation by parliament, of the Erle Bothwell, JAMES Ormeston, Robert Ormeston,” &c. “as guilty—for the murder of the King” (Goodall, ii. 236). In Bellenden’s confessions, also, we see the second of these persons carrying uniformly the appellation of *James*. Thus Powrie deposes, that “the Erle Boithwell, accompanyt with JAMES Ormestoune of that ilk, Hob Ormestoune his fader bruther,” &c. was the doer of the murder (Anderson, ii. 165). This *James* is repeatedly called by Powrie “the lard of Ormestoune” (166), “laird of Ormestoune” (167), and “the laird of Ormistoun of yat ilk” (171—172). So John Hay speaks of “JAMES Ormistoun of yat ilk” (178), whom he again and again calls “the said laird of Ormistoun” afterwards (179, 180, &c.). John Hepburne also mentions “JAMES Ormistoun of that ilk” (184).

appear so, even by the testimony of Buchanan himself. They were most probably, therefore, fabricated immediately by the rebels in England, and not taken from any fabricated originals in Scotland. Sir John Bellenden indeed, whose attestation

as "the said lord of Ormeston" (185). And Morton's and Douglas's indictments severally unite in asserting, that both these men had been engaged in the murder, together "with James some tyme Earle Bothwell, JAMES Ormestoun some time of *that ilke*, Robert *alias* Hob Ormestoun, his father brother," &c. (Arnot, 9, and 389). The lord of Ormeston, therefore, was undoubtedly called JAMES. Yet, to our surprise, we find him in Mr. Arnot's publication bearing the appellation of JOHN. This "confession of the laird of Ormeston" tells us at the very outset, that "John Brand, minister at Hal-liruid-house, being send to JOHN Ormestoun,—to requyre "THE SAID LAIRD to glorifie God in shawing of the trewth," &c. (Arnot, 383). Nor is this extraordinary mis-nomer to be attributed, to the blundering hand of forgery. Nothing indeed, in the whole compass of nature, would more clearly convict a deposition of forgery; than that either the taker was completely ignorant of the maker's name, or the maker did not know his own. But this is not the case at present. The confession exhibited on Douglas's trial, was "one by the late "JAMES Ormestoun *of that ilk*" (Arnot, 16). This was the confession of the lord of Ormeston. It *then* reported his name as it really was. It equally reported the name truly, as late even as the days of Mr. Goodall. Mons. Fenelon, he says from Carte, "acquaints us, that JAMES Ormiston of Ormiston "confessed," &c. "As to Ormiston's confession," he adds, "it is to be seen in Sir Lewis Stewart's Collections; it is a "paper drawn up by John Brand—; he has indeed put the "names of all the persons mentioned in Mons. de Fenelon's "letter, into Ormiston's dying speech" (i. 391—392). And the transmutation of *James* into *John*, and the seeming creation of two confessions out of one, is merely a casual mistake in Mr.

tion is annexed to them, was a man very capable of giving his attestation to a non-entity, I believe. We see him at that most impudent of all impudent acts of hypocrisy, the coronation of Mary's infant son on her pretended resignation, stepping forward with the effrontery of a man who had long ceased to blush, and with the solemnity of a wretch who had been long hacknied in hypocrisy, to ratify the same "in the name of the Thre Estaittis;" though these estates had never authorized him to do so; though these estates could have *no existence* enabling them to authorize him, till Mary summoned the individuals to unite into estates in parliament; and though, even then, these estates could have had no authority to accept an involuntary surrender of the crown from her †. And he, who was so prompt to act in the most iniquitous measures with the rebels; and who particularly could presume to act under a commission, which was never given him, and which he had merely forged for himself; would have little hesitated, we may be sure, to set his name to any

Arnot himself; the same kind of mistake, which in another place, and concerning another *confessionary*, has reversed the change, and converted a *John* into a *James*, in the Christian name of Hay of Talla (p. 9) *.

* Mr. Arnot's mistake arises from this, I find. He publishes the confession from Sir L. Stuart's Collections, as he says in p. 388. But the confession in these Collections runs thus, I understand: "John Brandy—being sent to the Laird of Ormiston to," &c. Yet in the advocates library, is another copy of this confession, "ex manuscriptis Roberti Mylne scribæ;" which, by an interlineation over the words "the laird of Ormiston," runs thus, "Jon, in Teviotdale, commonly called Black Ormiston from his iron coat 'lour.'" And Mr. Arnot appears to have formed this part of the confession, by leaving out "the laird of" in the text, and by substituting "Jon" from the interlineation in the room of the words.

† Keith, 439.

imposition,

imposition, that would be of service to the cause. Yet he never set his name to the confessions, I believe. At a time, when the fact was so well understood in Scotland, that even the Detection was obliged to retail the popular opinion, though the History could venture, at a later period, to depart from it; confessions, directly opposing that opinion, would hardly be fabricated there. Nor was there any purpose, for which they should. Such confessions, forged by the rebels, and lodged either by consent or by stealth among the records of the justiciary, could have answered no end to the rebels. If lodged by consent, Bellenden must have been an active associate in the deed of forgery. If by stealth, he must still have seen the imposition when the paper was produced; as he must have known no such examinations, to have been ever taken in the justiciary. Had they been taken, he must have been officially present at the time, as he was lord justice-clerk, the presiding officer of the justiciary*; and he must have known himself, not to have signed the paper. Either way, they would have convinced nobody if they had been produced in Scotland. Nor was it requisite to lodge them in the justiciary of Scotland, in order to produce them in England. And a much more compendious course was pursued. His good friends in England, during the interval between the conference at York and the continuation of it at Westminster, saw the necessity, as they fancied, of exhibiting to the English com-

* Anderson, ii, 173, &c.

missioners,

missioners, some depositions made by some of the persons executed in Scotland for the murder. They had none indeed, but what would have militated directly against them, have absolved the Queen, and have arraigned themselves. This, the dying confessions of the sufferers, which I shall hereafter notice, decisively shew us. To forge any in opposition to these, though it would be a crime without an advantage in Scotland, would yet be serviceable in England. There the real confessions could be little known at present. There forgeries might, therefore, be safely substituted in their room. These would also be supported in their credit, by the sanction of authority from Elizabeth, that informing soul of the whole body politic in England,

Mens agitans molem, et magno se corpore miscens.

And the name of Bellenden, "the justice-clerk in Scotland," might be usefully appended to each, to give them an air of regular confessions made in Scotland at the time*.

In

* Let it not be thought, that these depositions were certainly not fabricated in England, because some of them were actually produced on the trial of Archibald Douglas in Scotland, A. D. 1586. The King's advocate, says the record of the trial, "produced three—depositions, one by the late James Ormestoun of that ilk, another by the late John Hay of Tallia, and a third by the late Paris a Frenchman" (Arnot's Criminal Trials, 16). The two last are the same, which were produced with others in London. The rebels exhibited on December 8, 1568, say our commissioners, three writings in English, "wherof the first conteyned two severall examinations,—

"the

In this manner, very plainly, were the depositions made. The records of justiciary never saw them.

"the first of *John Hays the younger of Tallow*," &c. (Goodall, ii. 235—236). Accordingly, "the examinations and confessions — of *John Hay younger of Talo*," &c. are now "in the Cotton library, Calig. c. i. f. 243, &c." (Anderson, ii. Contents). But the two confessions of Paris were sent up to London by Murray, in the October following (Goodall, ii. 283). The first is accordingly found in the Cotton library, Calig. b. ix. f. 370 (Goodall, i. 145). The second is very singularly in the paper-office, as a public paper; while "an authentic copy or exemplification, signed by Alexander Hay, then clerk of the privy council," is lodged in the Cotton library (Anderson, ii. Contents). But how then came they all to appear in Scotland, at the trial of Douglas? *They were borrowed from London for the purpose.* This is evident. They were sent to London in 1568 and 1569. They were brought back to Scotland in 1586. Yet they remain in London at this day. They were allowed to travel into Scotland, for the business of this trial. They were calculated to serve the cause of the culprit. He had been one of the King's murderers. He had fled into England, on the seizure of Morton. Elizabeth, who prosecuted the murder so severely upon the innocent Mary, patronized the murderer in Douglas. She refused to surrender him up, though James repeatedly solicited her to do it. She even lent these confessions, to assist him in his mockery of a trial. The King's advocate, who took care *not* to produce Morton's confession against him, because it would have proved him guilty, took equal care to produce these, because they tended to prove him innocent. These, the culprit said, "so far from criminating him, testified his innocence; for that these deponents described the whole circumstances of the murder committed by themselves and their accomplices, without making any mention of him" (Arnot, 17). And, when they had served their infamous purpose, they were remitted to London again. The whole plan of knavery was concerted by Randolph, Elizabeth's ambassador, the master of Gray, and the advocate (Moyle, 108).

And

And Bellenden knew no more of them, than Alexander Hay appears to have known of Paris's second confession; though his name is equally annexed to the latter, as Bellenden's is to the former*. To borrow the name of a friend, in order to colour over an useful fraud; must have seemed only a small crime in men, who could be guilty of the fraud itself. Where the heart is degraded enough, to think of performing the principal villainy; any corroborations of it by accessory tricks of imposition, will appear only petty offences. And as Bellenden was kept probably in a profound ignorance of the depositions, to which his name was subscribed; and as Hay certainly was, concerning the confessions to which his attestation was annexed; so did even Buchanan himself remain totally ignorant of the latter, for ever†. This gang of political *picaroons* was actually afraid of one another. They committed forgeries in concert. Yet they were still afraid. They therefore committed forgeries apart by themselves. These they carefully concealed from each other's knowledge. And we now know at last, what the most intimate of Murray's subordinates in iniquity did not know at the time, the great liberty that he allowed himself in using the names of his subordinates, whenever he wanted them; and the wide range that he gave himself, in the airy regions of forgery‡.

* Tytler, 136.

† Ibid. 135.

‡ Such is also the *first* confession of Paris, in Goodall, i. 137—144. This is expressly referred to in the second,

comme

"comme il est dit en sa premiere deposition" (Goodall, ii. 82). It was therefore, with the second, a creation of Murray's. And it was accordingly used with it; being sent up to London together with the other by Murray in October 1569 (Goodall, ii. 82), and being therefore lodged with an attested copy of the other at present, among the papers of Cecil in the Cotton library (Goodall, i. 145, and Anderson, ii. Contents). Yet it has never been published in the original. We have only a translation of it. But from this we see, that it was apparently written by Murray to flatter his own vanity, by the praises which he makes Paris very liberally, and in an historical view very absurdly (Goodall, i. 145), bestow upon him. It was therefore shewn only to a few, who were not acute enough to see the design of it. It was particularly concealed from Buchanan, who knew no more of *this* than of the *second* confession. And indeed the first actually precludes the second; as it is absolutely impossible for Paris, when he related so much concerning Bothwell and the murder on the 9th, to have wholly abstained from all intimations concerning that intercourse betwixt Bothwell and the Queen, and concerning those circumstances of the murder, which he relates so particularly on the 10th.

But there is another circumstance in these confessions, which bewrays the baseness of origin in both. In the *first* of them Powrie, who was actually PORTER to Bothwell, is strangely changed into his TAILOR. He is described in Bellenden's depositions, as "servitor and porter to Bothwell" (Anderson, ii. 174). He is spoken of by Throgmorton, in a letter of July 18, 1567, as the "Earl Bothwell's porter" (Goodall, i. Pref. xvii. and Robertson, ii. 377). He is even called, in one part of Paris's second confession, "Powrie le portier" (Goodall, ii. 79). Yet "he" [Bothwell] "went forth," says the Paris of the first confession, "taking with him the tailor and me" (Goodall, i. 143). This very extraordinary change in the designation of Powrie, Mr. Goodall was the first who observed. He observed it with surprize. "There is some ground for thinking," he says, "that these confessions," meaning only Paris's first, "have been translated into French, after the same manner as" "the

“ the letters to Bothwell : certain it is, that Powrie, the Earl’s
 “ porter, is in these confessions transformed into a taylor ; and
 “ how that should have happened, but through a blunder in the
 “ translation, is not easily to be comprehended” (Goodall, i.
 146). The remark is equally acute and just. Such a transla-
 tion had been made. Such a blunder had been committed.
 The same transformation appears in the FRENCH of the se-
 cond confession. In a passage of this, referring to the passage
 above in that, are these words : “ *Sieur de Boduell prend le*
 “ *TAILOR et Paris avec lui, comme il est dit en la premiere de-*
 “ *position*” (Goodall, ii. 82). And the appearance of the same
 blunder in the *French* of the *second* confession, as well as in the
English of the version of the *first* from the French, shews the
 French of both to have been merely a version in itself. In both
 the French and the English languages, the words *taylor* and
porter are so distinct in their letters, that they could not possibly
 be confounded in those dialects by any blunder of the press.
 Yet they have been confounded by such a blunder, in some lan-
 guage or other. They have therefore been confounded in one,
 which exhibits these appellations of business in a form somewhat
 similar to each other. And what language does this, that
 could have any connection with the confessions ? The same pro-
 cess of transmutation, no doubt, was pursued in the confessions
 as in the letters. The same cause would naturally produce
 the same effect. The same ignorance of French would un-
 doubtedly occasion the same interposition of a Latin copy.
 The confessions, like the letters, would be drawn up originally
 in English, would be translated into Latin, and would be re-
 translated into French. In these successive versions of the let-
 ters, I have already shewn the grossest errors to have been
 made by the press. Thus the word *key* became *cera* in Latin
 by a mis-print for *fera*, and so became *cire* in French.
 Thus also *bylle* was disfigured into *bybill* in English, and the
 absurdity was continued in the Latin *biblia* and the French
bible. And *boisting* in English being rendered by a typogra-
 phical error *comitatus* instead of *comminatus*, the French re-
 peated the error in its *sui vi*. In this manner was a *key* trans-
 formed into *quax*, a *letter* into a *bible*, and a *threat* into com-

pany. In this manner, no doubt, was also a *porter* miraculously metamorphosed into a *tailor*. In the English of the confessions denominated a *porter*, he would naturally receive the appellation of *janitor* in Latin. But the press interposed with an unlucky blunder. *Janitor* was altered by it into *sartor*. The false light of the Latin was reflected back in the folly of the French. And the *porter* of the original became the *tailor* of the copies.

§ III.

Having thus swept away the false accounts of the murder, let us proceed to the true. What we have already seen, will enable us to state the true more fully.

When Mary received intelligence, on the 20th or 21st of January, 1567, concerning the King's illness, the King's repentance, and the King's desire to see her at Glasgow; she resolved to go to him immediately. But she equally resolved, to bring him with her to the neighbourhood of Edinburgh, as soon as ever he could travel. She therefore took a litter with her, for his more easy and safe conveyance. And she determined to lodge him at Craigmillar. But, finding the King not to like Craigmillar, she agreed with him upon Kirk-a-field*; a house, at which Lord Borthwick had lately received, in a sickness, considerable benefit from the air†. She accordingly sent orders for the house to be hired and furnished. She was absent in the whole nine or ten days, from Jan. 21st, when she went away, to Jan. 30th, when she returned. She was absent from the receipt of the orders, probably, about six or seven. And in this period must the mine have been dug by the conspirators.

* Goodall, ii. 244.

† Jebb, ii. 214.

But who were they?—The Bishop of Ross shall tell us, in this lively detail of facts.

Mary, he says, used Murray's "advise and counsel in all her affairs, after her returne into Scotland, *so farre*, that she had but, as it were, THE NAME AND CALLING, he BEARING THE VERY SWAY OF THE REGIMENT; by her intituled to, and "honoured and adorned with, the Earldome of Murray; and at length, by one meanes or other, "furnished with so greate and ample possessions, that, bysides other commodities and advantages, THE YEARELY RENT THEREOF PASSETH AND "SURMOUNTETH THE SUMME OF TWENTY AND SIX THOUSAND POUNDES, after the rate of their money.

"Behold now the thankfulnes of this good and grateful nature! He laboured and endeavoured al that he possibly could, to WITHOLDE THE QUEENE'S MIND, AND STAY HER FROM AL MANNER OF MARIAGE, and TO ENTAILE THE CROUNE OF THE REALM UNTO HIMSELF (though he were illegitimate, and uncapable therof), and to the NAME and the BLOOD of the Stewards. But when he saw, and throughly perceaved, and wel knew, that the Queene was fully minded, and earnestly bent, and had now determined, to joyne herselfe in mariage with the Lorde Darley; HE PRACTISED MEANES, by HIS assistance and procurements, TO HAVE SLAYNE HIM AND HIS FATHER, AND TO HAVE IMPRISONED HIR at LOCHLEVEN, and TO HAVE USURPED THE GOVERNMENT HIMSELF, as he now doth.

"But

" But now when he saw this his intent and purpose disclosed and prevented, and that the solemnization of the marriage was already past; he SHEWED HIMSELF WITH HIS ADHERENTS IN OPEN FIELD, AND IN ARMES AGAINST THE QUEENE HIS MAISTRESSE. Whereupon he was driven to flee into England.—

" Then beganne he to practise with THE EARLE MORTON, by his letters and messengers, about THE DETESTABLE SLAUGHTER of David, the Queene's secretarie; who by THEIR mischievous sleights and craftie persuasions, induced the Lord Darley, promising him TO REMOVE THE QUEENE from the meddling with al politike affaires, and actually to put him IN POSSESSION OF THE CROUNE, and of THE RULE AND GOVERNEMENT OF THE REALME, to joyne with them in this traiterous conspiracie against the Queene, his most deare and loving wife, and moste dreade soveraigne. Whereupon the murther was in most horrible and traiterous wise committed, in the Queene's own chamber of presence, upon him, violently plucked from the Queene: she also being cruelly menaced and sore threatned, having also a charged pistolet set to her belly, being then greate with childe; and then removed from her privie chamber into another, where she was kepte as a prisoner*.

" The

* Mr. Arnot's view of the rooms, in which this fact was committed, is curious. In the Duke of Hamilton's part of Holyrood-house, he says, and " in the second floor, are Queen

“ The young, unexpert, and rash Lord Darnley, who being blinded with outrageous ambition, “ could

“ Mary’s apartments, in one of which her own bed still remains. It is of crimson damask, bordered with green silk tassels and fringes, and is now almost in tatters. The cornice of the bed is of open figured work, in the present taste; “ *but more light in the execution, than any modern one we have seen.* Close to the floor of this room, a piece of wainscot, “ about a yard square, hangs upon hinges, and opens a passage to “ a trap-stair, which communicates with the apartments beneath. Through this passage Lord Darnley, and the other “ conspirators, rushed in to murder Riccio. The Queen was “ then supping with the Countess of Argyle, and Riccio in “ attendance, in a closet of her bed-chamber, about twelve feet “ square, the present north-west tower of the palace. Riccio “ was pushed out of the closet, dragged through the bed- “ chamber into the chamber of presence, where, being pierced “ with redoubled wounds, he expired.”

Mr. Arnot refers to this account, sent by Bedford and Randolph at the time to England. “ The King conveyeth himself, the Lord Ruthen, George Duglass, and two others, “ throwe his own chamber, by the privy staires, up to the “ Queen’s chamber; going so [it should be *through*] which “ there is a cabinet, about xii foot square,” the Queen’s “ privie chamber,” as the Bishop calls it above; “ in the same, “ a little low reposing bed,” a fettee, “ and a table.—David “ was thrust out of the cabinet,” he was dragged, with the King’s dagger sticking in his back (Keith, 331, and Melvill, 64), “ throw the bed-chamber, into the chamber of presence,” what the Bishop names “ the Queene’s own chamber of presence,” and there murdered (Robertson, ii. 356). And Mr. Arnot adds in a note, that “ towards the outward door of “ this apartment,” the chamber of presence, “ there are in the “ floor large dusky spots, said to have been occasioned by “ Riccio’s blood staining the floor; which washing of the “ boards has not been able to take out.” Hist. of Edinburgh, 306.

This

" could not forsee the diuvelish drifte of these craftie
 " merchants, beganne now, but almost to late, to
 " espie it; and SEEING HIMSELF AS NIGH THE
 " DANGER AS WAS HIS WIFE THE QUEENE, repair-
 " ed to her, moste humbly asking her pardon of
 " his heinous attempt, and pitifully crieing out to
 " her, to provide and finde out some present way
 " to preserve themselves both: who, by the
 " Queene's politike industrie, was prively with her-
 " selfe conueied away out of the rebelles danger;
 " and BY HIM THIS WICKED DRIFT, AND THE
 " DRIVERS AND CONTRIVERS THEREOF, WERE
 " DISCOVERED TO THE QUEENE.

" But lo, the next day after this slaughter, the
 " Earle Murray entred into Scotland, and repaired
 " to the Queene with as faire a countenance, as
 " though he had ben cleare, as wel for that fact as
 " for al other treasons; wherof the gentle and
 " merciful Queene pardoned him, admitting him

This very room appears from Le Croc, in Keith, 346, to
 have been the council-room of the palace. It was therefore
 " the great hall " of Melvill, 80, " where the council useth
 " to sit," and where Mary was married to Bothwell. It was
 also " the council-chamber " of Randolph, in Keith, 194,
 " where she herself ordinarily sitteth the most part of the time,
 " sowing some work or other." And over it Bothwell is said
 in Paris's second confession, to have had his own chamber, " au-
 " dessus de la chambre-là, ou se tenoit le conseil," Goodall, ii.
 82; which is called " his High Chamber," in Paris's first con-
 fession, Goodall, i. 144: while his men slept in the room be-
 low it, " ye nether hall of ye said Erle Bothwell's ludging in
 " ye Abbay," Anderson, ii, 165, &c. So distinguished does
 this room appear, in the eventful history of Mary's life!

“again into her Grace’s love and favour. Whereat
 “the L. Darley, MUCH MISLIKING, and VEH-
 “MENTLY REPENTING, feared THAT HE WOULD BE
 “as he was indeed, when he saw his time, RE-
 “VENGED UPON HIM; bycause HE WAS OF HIM
 “DETECTED TO THE QUEENE, for being ONE
 “and the CHIEFE of the counsaillers, aiders, and
 “assisters, in the conspiracie about the murder of
 “the secretarie, now committed.

“These and the like imaginations so depely sank
 “into, and pearced, the yong man’s harte; that he
 “finally resolved with himself, by one meanes or
 “other, to RIDDE THE EARLE MURRAY OUT OF
 “THE WAY. Where-about he went so farre forth,
 “that HE COMMUNICATED HIS PURPOSE TO THE
 “QUEENE, who did most highly mislike therewith;
 “and most vehemently deterred him from the said
 “his intent. Yet did he break the matter farther, as
 “to certain other noblemen, by whome at the last
 “it was revealed to the Earle Murray. Wherefore
 “the Earle DID, CONTINUALLY AFTER, BEARE HIM
 “A DEADLY ENMITIE AND HATRED. Whereupon
 “at length, *al other attempts failing him*, this exe-
 “crable murder was BY HIM THE SAID EARLE
 “MURRAY, and BY THE EARLE MURTON, *first*
 “*devisyd*; and afterward, in such strange and
 “heynous sort as the worlde knoweth and detesteth,
 “most horribly practised and put in execution*.”

But, that this account may not rest upon the
 single authority of the Bishop, let us confirm it in
 its principal parts, by the formal attestation of some
 of the first personages in Scotland at the time. - In

* Anderson, i. 60—63.

the instructions, which were given by the nobles of Mary's party to Mary's commissioners, then setting off for the conference in England, is the very same account, and sometimes nearly in the same words.

"It is to be diligentlie and advyfitlie remem-
berit and confiderit," say seventeen peers under
their hands, "how shortly after our soverane's
hame-cuming fra the realme of France in Scot-
land, THE ERLE OF MURRAY, having respect
then, and, as appeiris, zit, be his proceedingis,
to place himself in the government of this realme;
and to usurp this kingdom; be his counsaill causit
THE QUEENE'S MAJESTIE BECOME SWA SUBJECT
UNTO HIM, AS HIR GRACE HAD BENE ANE
PUPIL: in sic sort, that hir Hienes's subjectis had
not access unto hir Grace, to propone thair awin
causis, or to ressaive answer thair of, bot be him
onlie; swa that he was onlie RECOGNOSCIT AS
PRINCE, and HIR MAJESTIE BUT A SHADOW:
And quha pressit to find fault with his abuses, he
did pursue thame *with sic crueltie*, that sum of the
principal men," the Gordons, "he *causit put*
to deid [death], destroying thair bairnis, housis,
and memorie; and *causit utheris*," Bothwell and
Sutherland, "to be *banisheit* the realme; and *put*
utber nobilmen," the Archbishop of St. Andrew's,
Lord Gordon, and Gavin Hamilton, Abbot of Kil-
winning, "in *presoun*, and detenit thame there."

"And having the principallis thus dejectit of
thair places, he *propanit* to the Quene's majestie
TO HAVE THE CROWN TAILZEIT [entailed], and
HIMSELF

" HIMSELF TO HAVE THE FIRST PLACE; quhilk hir
 " Grace plainlie refusit, alledging scho wald not
 " defraud the richteous heiris; and als scirit thairby
 " *the wracking of hirself, and secluding of hir Grace's*
 " *successioun*, in respect the desyrer of the said tailzie
 " WOULD NEVER CONSENT ONY WAY, that HIR MA-
 " JESTIE SOULD MARRY ONY SIC PRINCE as maid
 " suir at hir Hienes thairfoir, cullouring the famin
 " upon the alledging of mony inconvenientis, that
 " might follow upon the marriage of greit princes.
 " Quhilk hir Majestie partlie considerit to be of
 " truth: and swa by the commoun inclinacioun of
 " all princes and uther women, quhilk rather de-
 " fyris to ascend nor descend, for retaining the
 " realme at libertie, and to be thrallit to na
 " utheris, was content to dedaigne [humble] hir
 " Hienes to accept the Lord Darnly to hir husband;
 " thinkand, thairthrow, to obtene greitest favouris of
 " all thame of that surname.

" Bot the contrair is knawin, and QUHAT IMPE-
 " DIMENT WAS MAID THAIRTO BE THE SAID DE-
 " SYRER OF THE SAID TAILZIE; quha, be HIMSELF
 " and his affistaris, CONSPIRIT THE SLAUCHTER OF
 " THE SAID LORD DARNLY, being then appointit
 " to be marryit with hir Grace, AND ALS OF HIS
 " FATHER, and DIVERS UTER NOBILMEN, being
 " in hir Grace's cumpanie and followaris at that
 " time; and swa TO HAVE IMPRISOUNIT HIR
 " HIENES'S SELF in LOCHLEVIN, and detenit hir
 " Grace there ALL THE DAYIS OF HIR LYFE; and
 " he TO HAVE USURPIT THE GOVERNMENT.
 " Quhilk conspiracie was neir pyt to executioun
 " in

“ in the moneth of June 1565, at the kirk of
 “ Baith; as mony quha war in counsal with him,
 “ and drawin ignorantlic thairon, can testific. And
 “ he, seing the samin revelit, DREW ANDRIE TO HIS
 “ OPINIOUN under colour of religioun; quha were
 “ banisht with him, and tuk refuge in Ingland.

“ And thairefter, HE persaving, that they could
 “ NOT STAY THE MARRIAGE, and als that it pleit
 “ God that HIR GRACE WAS ABILL TO HAVE SUC-
 “ CESSIOUN, and swa being greiv with child; THAY
 “ INVENTIT THE SLAUGHTER OF HIR MAJESTIE'S
 “ SECRETAR IN HIR HEINES'S PRESENCE, and
 “ CRUELLE PERFORMIT the samin, and held hir
 “ maist nobill persoun IN PRISOUN; *intendand* be
 “ *that way* THE DEITH OF HIR MAJESTIE THROUGH
 “ HEICH DISPLESOUR, secluding of hir SUCCESSION,
 “ and ALS OF HIR SAID HUSBAND, *be ressoun* he
 “ was *seducit to consent thairto*,” the very trick of
 perfidy, that was afterwards practisid against Both-
 well. “ Bot then seing that hir Grace, with the
 “ plesour of God, did escaip thair handis, and re-
 “ leive hirself of prisoun, quhairthrow that the
 “ doaris thairof wer banishit for thair enterpryse;
 “ and als heiring of the zounge behaviour, throw
 “ fulage counsal, of hir said husband: THAY CAUSIT
 “ MAK OFFERIS TO OUR SAID SOVERANE LADY, gif
 “ hir Grace wald give remissoun to thame that wer
 “ banishit at that time, TO FIND CAUSIS OF DI-
 “ VORCE, outhir for CONSANGUINITIE, in respect
 “ thay alledgit the dispensatioun was not publishit*,

“ or

* Buchanan hints at this, though he has the impudence to
 make it Mary's proposal: “ als mekle as thay wer, the ane to
 the

" or else for ADULTERIE; or then TO GET HIM
 " CONVICT OF TRESSOUN, becaufe he consentit to
 " hir Grace's retention in ward; or QUHAT UTHER
 " WAYIS TO DESPECHE HIM: quhilk altogidder
 " hir Grace refusit, as is manifestlie knawin.

" Swa that it may be cleirly considerit, and is
 " ane sufficient presumptioun in thir respectis, *hir*
 " *Grace having the commoditie to find the meanis to*
 " *be separate, and zit wald not consent thairto; to*
 " *appeir, that HIR GRACE WALD NEVER HAVE CON-*
 " *SENTIT TO HIS MURTHOUR, havand sic uther*
 " *likelie meanis to have bene maid quit of him, be*
 " *the lordis own device; bot that it may be inferrit;*
 " *that THAY WER THE DOARIS THAIR OF ONLIE **"

Nor let the bigotry of prejudice against Mary delude itself, by refusing to listen to the united testimonies of the Bishop, and of all the loyal peers in Scotland with him, merely because they were loyal. What are the letters, what are the sonnets, and what are the contracts; but papers produced by her *usurping rebels* against her, produced to colour over their rebellion, and to lend a pretence to their usurpation? Yet we need not rest upon all this plenitude of evidence for her. The very same account is given us by an *English-*

" the uther, in sic degree of consanguinitie, as, be the Papis
 " law, micht not mary togidder, specially (quhilk was esie for
 " *hir to do*) the Bull being *conveyit away*, quhairby the same
 " law was dispensit with" (Anderson, ii. 13—14; and Jebb,
 i. 241).—He has only altered the form of the proposal a little,
 by substituting *conveyit away* instead of *publisht*.

* Goodall, ii. 357—359.

man, by a cotemporary, and by an author employed under the patronage, and entrusted with the papers, of CECIL himself. And the accounts preceding are thus corroborated by CAMDEN, in all their leading and capital circumstances.

MURRAY, he says, who had taken arms because of Mary's match with Darnly, "fled into England: and there, being frustrate of all hope of aid, HE dealt by letters with MORTON, a man of a deep and subtil reach, who was *his inward friend*, and as it were *his right hand*; that seeing the marriage could not be annulled, yet at least-
 "WIFE THE LOVE BETWIXT THEM AS MAN AND WIFE MIGHT, by CLOSE CONTRIVANCES, BE DIS-
 "SOLVED. — MORTON, being a man skilled in *kindling discontents*, insinuateth himself into the young King's mind, by soothing flatteries, and persuadeth him TO PUT ON THE CROWN OF SCOTLAND, even against the Queen's will, and to free himself from the command of a woman. —
 "By this counsell he *hoped*, not onely to *alienate* the Queen, but also the *nobility* and *commons*, quite from the King. And, to alienate the Queen, first he incenseth the King by sundry slanders, to the murther of David Rizo, a Piemontois, left he, being a subtil fellow, might prevent their designs. — Then, the more to alienate her, he persuadeth the King to be present himself at the murther."

Afterwards "the King, now considering the foulness of the late act, and seeing the Queen
 "was

" was very angry, repented him of his rashness;
 " humbly fled with tears and lamentations to her
 " clemency; and, craving pardon for his fault,
 " freely confessed, that, through the perswasion of
 " MURRAY and MORTON, he had undertaken
 " the fact. And from that time forward HE BARE
 " SUCH HATRED TO MURRAY (for Morton, Reu-
 " ven, and the others, were fled into England
 " for the murder of David, WITH MURRAY'S LET-
 " TERS OF COMMENDATION TO THE EARL OF
 " BEDFORD); that he cast in his mind to *make him*
 " *away*. But whereas, through youthly heat, he
 " could neither conceal his thoughts, nor durst
 " execute them (such was his observance towards
 " the Queen his wife); he told her, that it would
 " be for the good of the commonwealth, and the
 " security of the royal family, if MURRAY were
 " made away. She, detesting the matter, terrified
 " him with threats from such purposes; hoping
 " again to reconcile them. But he, *stomaching*
 " *the power which the bastard had with the Queen*
 " *his sister*, through impatience communicated
 " the same design to others. *When this came to*
 " *Murray's ears*, he, TO PREVENT THE SAME, un-
 " der colour of duty contriveth *more secret plots*
 " *against the young King's life*; using MORTON'S
 " counsell, though he were absent.

" THESE TWO, above all things, thought it best
 " utterly TO ALIENATE THE QUEEN'S MIND FROM
 " THE KING, their love being not yet well re-
 " newed; and TO DRAW BOTHWELL INTO THEIR
 " SOCIETY,

“ SOCIETY, who was *lately* reconciled to Murray,
 “ and was in great grace with the Queen; PUTTING
 “ HIM IN HOPE OF DIVORCE FROM HIS WIFE, AND
 “ MARRIAGE WITH THE QUEEN, AS SOON AS SHE
 “ WAS A WIDOW. To the performance hereof,
 “ and to defend him against all men, they bound
 “ themselves under their hands and seals; sup-
 “ posing that, if the matter succeeded, they could
 “ with one and the same labour *make away the*
 “ *King, weaken the Queen's reputation amongst the*
 “ *nobility and commons, tread down Bothwell, and*
 “ *draw unto themselves the whole managing of the*
 “ *State.*

“ Bothwell, being a wicked-minded man, blinded
 “ with ambition, and thereby desperately bold to
 “ attempt, soon laid hold on the hope propounded,
 “ and lewdly committed the murder; whilst MUR-
 “ RAY, scarce fifteen hours before, had withdrawn
 “ himself farther off to his own house, *lest he should*
 “ *come within suspicion; and that he might from*
 “ *thence, if need were, relieve the conspirators,*
 “ and the whole suspicion might light upon the
 “ Queen. [A rumour was forthwith spread all over
 “ Britain, laying the fact and fault upon MORTON,
 “ MURRAY, and other confederates*: they, in-

* Buchanan plainly hints at this, when he says, that “ Hunt-
 “ ly and Bothwell—had befor daylicht causit, be speciall for-
 “ appointit messingeris, rumours to be spred in England, that
 “ the Erles of Murray and Mortoun wer doeris of that slau-
 “ ter” (Detection, 20, Anderson, ii. and 244, Jebb, 1).
 And Crawford's Memoirs confirm both; saying, that men
 “ of the first rank in the nation firmly believed Murray and
 “ Morton the authors,” p. 13.

“ fulting

“sulting over the weak sex of the Queen, lay it
 “upon her.] No sooner was HE returned to the
 “court, but HE and THE CONSPIRATOURS com-
 “mended Bothwell to the Queen for an husband;
 “as most worthy of her love, for the dignity of his
 “house, for his notable service against the Eng-
 “lish, and his singular fidelity.—

“NOW THE CONFEDERATES whole care and la-
 “bour was, that Bothwell might be acquitted of
 “the murder of the King. A parliament, there-
 “fore, is forthwith summoned for no other cause,
 “and proclamations set forth, that such as were,
 “suspected of the murder should be apprehended.
 “And whereas Lenox, the murdered King’s father,
 “accused Bothwell to be the murderer of the King,
 “and instantly pressed, that he might be brought to
 “his trial before the assembly of the estates began,
 “this also was granted. And Lenox was com-
 “manded to appear within twenty days, to prose-
 “cute the matter against him. Upon which day,
 “—Bothwell was arraigned, and acquitted by sen-
 “tence of the judges, MORTON MANAGING HIS
 “CAUSE.

“This business being dispatched, THE CONSPIRA-
 “TOURS *so wrought the matter*, that very many of the
 “nobility assented to the marriage, setting their
 “hands to a writing to that purpose; lest he, being
 “excluded from his promised marriage, should ac-
 “cuse them as contrivers of the whole fact. By
 “means of this marriage with Bothwell,—the sus-
 “picion grew strong amongst all men, that the
 “Queen was privy to the murder of the King;
 “WHICH

" WHICH SUSPICION THE CONSPIRATOURS IN-
 " CREASED, BY SENDING LETTERS ALL ABOUT;
 " and, in secret meetings at Dunkeld, they pre-
 " sently conspired the depoling of the Queen, and
 " the destruction of Bothwell. Yet MURRAY, that
 " he might seem to be clear from the whole con-
 " spiracy, craved leave of the Queen to go into
 " France. Scarce was he crossed over out of
 " England, when behold! THOSE which *bad ac-*
 " *quitted Bothwell from the guilt of the murther,*
 " *and gave him their consent under their hands to*
 " *the marriage,* took arms against him, as if they
 " would apprehend him; whenas indeed THEY
 " GAVE HIM SECRET NOTICE, TO PROVIDE FOR
 " HIMSELF BY FLIGHT: and this to no other
 " purpose, but LEST HE, BEING APPREHENDED,
 " SHOULD REVEAL THE WHOLE PLOT; and that
 " *they might alledge his flight, as an argument to*
 " *accuse the Queen of the murther of the King.*
 " Having next intercepted her, they used her in
 " most disgraceful and unworthy manner; and,
 " cloathing her in a vile weed, thrust her into pri-
 " son at Loch-levin, under the custody of MUR-
 " RAY's mother; who, having been James the Fifth
 " his concubine, most malapertly aggravated the
 " calamity of the imprisoned Queen; boasting that
 " she was the lawful wife of James the Fifth, and
 " that her son MURRAY was his lawful issue *."

All these accounts unite together, to form such

* Camden, p. 88, and 91—94, of translation; and 110, 113—117, of original.

a powerful body of evidence, as supercedes the necessity of any other. Indeed, every thinking mind must be amazed on the review of it, that such testimonies have not long since settled the reputation of Mary on a solid basis, and rendered all further attempts to vindicate her superfluous. But the Bishop's Defence, as I shall shew hereafter*, was carefully suppressed by the tyranny of the Masculine Queen. The writing subscribed by the peers of Scotland, was locked up in the register of Mary, and among the papers in the Cotton library. And as Camden's history of Elizabeth came not out, till near half a century had passed over the transactions, and till the slanders against Mary had made a deep impression upon the yielding faith of the nation; so it lay long sequestered from the generality of readers, by being confined to its original Latin.

Murray and Morton, then, were the *first projectors* of the murder. They afterwards engaged Lethington, Bothwell, and others, in it. "Is it not full wel known, think ye," says the Bishop of Ross in another place to Murray, "that ye and the Earles BOTHWEL, MORTON, and others, assembled at the castle of Cragmiller, and other places, at divers times, to consult and devise upon this mischief? If neede were, we could rehearse and recompte to you the whole surtime and effect, of the oration made by *the most eloquent* among you," LETHINGTON, "to stirre up, exhort, and inflame *your faction then present*, to de-

* Appendix, N° xii.

"termine and resolve themselves to dispatch, and
 "make a hand with, the L. Darley *." And they
 at last proceeded to form a written association, ex-
 pressly for the purpose. "We can tel you," says
 the Bishop, "that there were INTERCHANGEABLE
 "INDENTURES MADE AND SUBSCRIBED BY YOU,
 "that he, which had the best opportunite offered
 "to make him away, should furthwith take it in
 "hande, and dispatch him. We can tell you,—
 "that John Hepburn," at his execution, "did
 "openly say and testifie,—that—HE HIMSELF HAD
 "SENE THE INDENTURES—we spake of †." And
 even Buchanan, with a view to this very confession,
 in the apocryphal part of *his* has inserted no less
 than three allusions to these indentures. That
 very John Hepburne is introduced saying, "Item,
 "as touching Schir James Balfoure, he saw not
 "HIS SUBSCRIPTION, bot I warrant zow he was

* Anderson, i. 76. So Paris's first confession says, by the
 mouth of Bothwell, that they had intended to have murdered
 Darnly, "the last time—we were at Craigmillar" (Goodall, i.
 140). Ormeston's confession says the same (Arnott, 384 and
 386). And all explains the proposal made to the Queen at
 Craigmillar by Murray and Lethington, *the projectors* of it,
 of *divorcing* her from the King, and of making her *quit* of him;
 in that proper and bloody signification of it, which Huntly and
 Argyte give it (Goodall, ii. 320), but which has been over-
 looked since, for want of observing this connection. Even
 Huntly, Argyte, and various other nobles of Scotland, declare
 under their hands in a passage cited immediately before; that
 the proposal at Craigmillar was, either to divorce her from him,
 to get him convicted of treason, "or quhat utherways to def-
 "peche him."

† Anderson, i. 76.

"the principall counsellar and devyser*." The same man is also made to say thus: "Surely I thocht that nicht that ye deid was done, that, al-
"thocht knowledge fuld bene gottin, na man durst
"have said it was evill done, seing THE HAND-
"WRITTIS†." And Dalgleshe is said to have asked, "Gif I die for this,—quhat sal be done to
"thame, quha was ye devyseris, counsellaris, sub-
"SCRIBERIS, and fortifieris, of it‡."

Thus fortified by a number of subscriptions, the plotters set to work at Kirk-a-field upon their murderous project. In the six or seven last days of the Queen's absence, they dug their mine under the house, and they charged it with powder. This could not possibly have been done, *after* the King came to lodge in the house. It could have been done only in the interval, between the hiring of the house and the taking possession of it. Accordingly, the indictments against Morton and against Douglas respectively import, that they had each been conspiring the death of the King, in the month of *January*, as well as February, 1567§. The Queen placed Darnly in the house at Kirk-a-field, on the 30th of January 1567§. Even then, nothing but the solitariness of the site could have befriended the conspirators; the house having only one great building near it, that too uninhabited at the time,

* Anderson, ii. 159. † Ibid. 160. ‡ Ibid. 162.
See also Stuart, ii. 140. Paris's first confession also speaks of
"the handwrits" of Morton and others (Goodall, i. 140).

§ Arnot's Criminal Trials, 9 and 389. § Appendix,
No. x.

and some almshouses. The inhabitants of these, no doubt, must have heard the laborious work going on. They were therefore sent for and examined, the afternoon of the murder. But what ~~could~~ be made out of their relations; when Morton, Bothwell, and Lethington were their examiners? Buchanan's account of their examinations is probably true. "Ane few pure folkis," he says, "ye *nixt dwelling nichbouris to ye Kingis ludgeing*, being *callit*; nouthir durst tell quhat thay had *sene* and *hard*; and gif thay twichit *ony thing* near the *mater*; outhir yai wer with feir put to silence; or *dispyfit* as of na credite *." But, in the name of common-sense, why was not THE OWNER OF THE HOUSE sent for? He had kept the keys of the whole in his own possession, to the hour of the King's arrival; lending some of them in the mean time to the royal servants, for the introduction of furniture. Accordingly Thomas Nelson, who was "servant of the chamber" to Darnly at the time, deposes that "the keyis of the lugeing was partlie standing in the duris, and partlie delivered to this deponar be the awner," at the King's arrival †. He must therefore have furnished the murderers with the keys, for their admission into the house. He must have been privy to the whole contrivance, even while it was prepared for execution. And what gives a decisiveness to the evidence, when he shewed what keys were in the doors, and delivered up the rest to this servant of the King's chamber; he delivered

* Anderson, ii. 82, and Jebb, i. 265.

† Goollall, ii.

"all except the key of that door, quhilk passed through
 "the cellar and the town-wall; QUHILK COULD
 "NOT BE HAD *." Hence Buchanan says, that
 "quhairas the uther keyis of that ludgeing wer in
 "custodye of the Kingis servandis, Paris, be senze-
 "ing certane fond and sclender causis, had in keeping
 "the keyis quhilk Bothwell kept back, of the back-
 "gate and the posterne†." It was only one that was
 kept back, as is evident above, that of the postern;
 this entrance being, according to Buchanan him-
 self, "ane posterne-dure in the towne-wall, hard
 "be the hous, quhairby thay might esilie pas away
 "into the feildis‡." This was kept back, no
 doubt, that they might enter from the fields into
 the house, in order to set fire to the mine. Bu-
 chanan therefore adds in another place, that "thay
 "thocht it not aneuch to have set oppin the posterne
 "in the wall, to let in theiris thairat,—bot alswa,"
 &c.¶ The owner was plainly in the plot, by suf-
 fering such a key to be withheld, and by not supply-
 ing its place with another key and another lock.
 And the owner is actually noticed in the confes-
 sion of James Ormeston, one of the murderers, as
 being engaged in the conspiracy with them, and
 even as having furnished them with keys§.

But who was he? Thomas Nelson speaks of him,
 as "Robert Balfour, awner¶." He was most pro-
 bably, therefore, a relation to Sir James Balfour.
 There were several brothers and cousins, I appre-

* Goodall, ii. 244.

† Anderson, ii. 21, and Jebb, i.

244.

‡ Ibid. 18 and 243.

§ Ibid. 69 and 261.

¶ Arnot, 385.

¶ Goodall, ii. 244.

head. In a forgery of Buchanan's, which has never been noticed, but is more glaringly detected than any other, because it is the substitution of a false letter in the room of a genuine one; he has made Lord Lenox to mention "Mr. James Balfour, and Gilbert Balfour his brother *."

Lo

* Lenox's real Letter.

" Pleisit your Majestie, my
 " humill petitioun was onto
 " your Highnes, and zert is,
 " that it may pleis zow not
 " onelie to apprehend, and put
 " in sure keepyng, the per-
 " sonis namitt in ye tickatts,
 " quhilk answerit to your Ma-
 " jestie's first and second pro-
 " clamationis; but als, with
 " diligence, to assemble your
 " Majestie's heil nobilitie, and
 " yan, be oppin proclamation,
 " to admonyshe and requyre
 " the writairs of ye said
 " tickatts to compeir, ac-
 " cording to the effect thair-
 " of; at quhilk tyme, gyf
 " thay do not, your Majestie
 " may, be ye advyse of your
 " said nobilitie and consell,
 " releif and put to libertie
 " ye personis in ye tickatts
 " soisaid; and for ye namis
 " of ye personis soisaid, I
 " merwell that ye samyn has
 " bene keipit fra your Ma-
 " jestie's acirs, considering ye
 " effect

Buchanan's Forgery.

" Pleisit your Majestie, *sen*
 " *the resait of your Highnes*
 " *letter; I have still luitit that*
 " *sum of the bludy murderers*
 " *shuld have bene oppinly knowin*
 " *or now; and seing thay ar not*
 " *xit, I cannot find in my hart*
 " *to conceill the mater ony lan-*
 " *ger, bot let your Majestie un-*
 " *derstand the names of them*
 " quhome I greitly suspect,
 " that is to say, the Erie Both-
 " well, M. James Balfour, and
 " Gilbert Balfour, his brother,
 " M. David Chalmers, blak
 " Maister Johnne Spens, Sein-
 " ziour Frances Bassiane,
 " Charles de Burdeaux, and
 " Joseph, David's brother.
 " Quhilk personis I fall maist
 " intairly and humble beseik
 " your Majestie, that according
 " to my former petitioun unto
 " your Highnes, it will pleis
 " not only to apprehend and
 " put in sure keepyng; but als
 " with diligence to assembill
 " your Majestie's haill nobilitie
 " Q4 " and

In the same strain of forgery,* he represents John Hay the younger as declaring in his confession, that "he saw Schir James Balfoure put in his awn name, and his brotheris, unto my Lord Bothwellis remission *." And John Hepburne says in one of Bellenden's confessions, that the evening of the murder "my Lord" Bothwell, and, as the

"effect of ye said tickatts, " and counsell, and then to
 "and ye names of ye per- " tak sic perfite ordour of the
 "sons is swa oppisat and kirk " foirnamit persons, *that they*
 "of; that is to say, in ye first " *may be justly tryit*; as I dout
 "tickat ye Erle Bothwell, " not, bot *in sa doing ye justice*
 "Maister James Balfour, Mr. " of God fall wirk in the said
 "David Chalmers, and blak " mater, as the treuthe fall be
 "Johnne Spens, and in ye " knowin. Sa fall your Ma-
 "second tickatt, Synzour " jessie do *ane maist godlie and*
 "Francis Bastiang, Johnne de " bonarabill *all for yourself*,
 "Bourdeoufs, and Joseph, Da- " being the partie as ze ar.
 "vryis brother; quhilk per- " And *ane greit satisfactioun*
 "sonis, I assuure your Ma- " it fall be to all *that belingis*
 "jessie, I, for my part, greitlie " *unto him, that is gane, quha*
 "suspect; and now, your Ma- " *was sa deir unto your High-*
 "jessie knowing yair namis, " nes. And now, not doutit
 "and being ye partie als " bot your Majestie will tak
 "weill, and mair nor I am, " ordour in the mater, ac-
 "althocht I was ye father, I " cording to the wecht of the
 "dout not bot your Majestie " caus, quhilk I maist humble
 "will take ordour in ye ma- " beseik; I commit your Ma-
 "ter, accordyng to the wecht " jessie to ye protectioun of
 "of ye cause, quhilk I maist " ye Almychty God, *quha*
 "inteirlic and humillie be- " *preserve zow in helth, long*
 "seik. Sa committs your " *lyfe, and maist happy reigne.*
 "Majestie to ye protectioun " *Of Howisoun, this xvii of*
 "of Almychty God. xvii of " Marche" (Anderson, ii.
 "March, 1566" (Anderson, 111—112).
 i. 47—48).

* Anderson, ii. 161.

rebel journal adds * (but falsely according to this confession), Mary with him, "supper in Master Johnne Balfour's hous, quhare the Bishop of Argyle made the banker †." All these three, John, Gilbert, and Robert, I take to have been relations to Sir James; one of them certainly a brother, and the other two most probably cousins, to him. He was at that time in the highest intimacy with Bothwell. With him Bothwell left his counterpart of the "interchangeable indentures," for the murder of the King †. With him also Bothwell left the original bond of association, for his own marriage to the Queen. And with him, therefore, did the rebels pretend he had left the casket of Mary's letters, &c. He engaged his cousin Robert, probably, in the murderous conspiracy. He induced him to admit the leaders and their mining party, within the house. Accordingly, Sir James was early pointed at in those clandestine papers, which were put up by *one of his own faction* in some public parts of Edinburgh;

* Appendix, No x. † Anderson, ii., 184. — This is the house mentioned in Detection, 7. Anderson, ii. and Jebb, i. 23.

1. "Sir James Baford [Balfour], condemned of the slaughter of the King's father, hath been called into the realm by Lennox [the second Lennox], without the privity of the King. And whereas the said Sir James found in a green velvet desk, late the Earl of Bothwell's, and saw, and had in his hands, THE PRINCIPAL BAND OF THE CONSPIRATORS IN THAT MURDER, and can best declare and witness who were authors and executors of the same," &c. (Robertson, ii. 463).

and

and which were intended, no doubt, by Morton and the others, to throw off all detestation of the deed from themselves, and to fix it upon the shoulders of Bothwell and his retainers*. So early did these new friends of Bothwell shew their readiness to brand him with the crimes, to which they had impelled his too ready spirit, and in which they had assisted his too active hand. Sir James's brother, Gilbert, seems from Buchanan's letter and Buchanan's confessions above, to have been equally suspected by the generality, and equally pointed at by the intimations of the other conspirators. He appears to have actually been so, from a partial copy of one of those clandestine papers, which has been preserved by Cecil, and which runs thus: "I, according to the proclamation, have made inquisition for the slaughter of the King, and do find the Earl Bothwell, Mr. James Beaufour [Balfour] parson of Flisk, Mr. David Chamber, and black Mr. John Spence, the principal devisers thereof; and if this be not true, spir [enquire] at Gilbert Beaufour [Balfour]†."

And

* The person who put them up was James Murray (Anderson, i. 38), afterwards rewarded with the comptrollership of the customs (Keith, 442).

† Cabala, part 1st, p. 126. These tickets, as they are called in that language which is still preserved in the West of England, are universally said to have been affixed to the door of the tolbooth at Edinburgh. Some undoubtedly were; as Lepox, in one of his letters to Mary, calls them expressly "ye tickatts, that was affixit apoun the towbuith dure of Edinburgh" (Anderson, i. 47. See also i. 38). But they were equally

And "Robert Balfour" the "owner" of the house at Kirk-a-field, we see, was expressly mentioned

equally set up in other places. "For example as the ane li-
centious abuse," says an act of parliament at the time,
"enterit laitlie,—thair hes bene placardis, and billis, and
"tickittis of defamatioun, set up under silence of nycht in
"verse publick places, alsuwell within burgh as without
"within the realme," &c. (ibid. i. 146). In the famous
bond for Bothwell's marriage to Mary, these are equally as in
Lenox's letter confined to one place, but to a place *different*
from his. Bothwell, it says, "being not onlie bruitit and
"calumniat be placartes privlie affixit in the public places of
"the towne of Edinburgh, and wherways, balandrie," &c.
(ibid. i. 107—108). And Blackwood, a cotemporary writer,
says they were fixed up "aux carrefours de la ville" (Jebb,
ii. 216). These libels, therefore, were actually set up on the
doors or corners of St. Giles's church, probably on the mar-
ket-cross too, and certainly at the crossings of the streets; as
well as on the door of the tolbooth. Accordingly we are told
in Crawford's Memoirs, 128, on a later occasion, that it was
"often posted up upon the market-cross, church-doors, and
"other conspicuous places of the city, that," &c. And this
accounts for the variation in the papers, as given us by
Lenox, by Buchanan, and by Cecil; though all said to have
been pasted upon the tolbooth (Anderson, i. 47—48, ii. 156,
and Keith, 368).

Gilbert was peculiarly worthy to be brother to Sir James.
He had been intrusted with the castle of Kirkwall in Orkney,
as Sir James had been with the castle of Edinburgh. Both
had been intrusted with them by Bothwell. And Gilbert, imi-
tating Sir James's conduct, maintained Bothwell's own castle
against him. On Bothwell's passage from Dysbar to the
North, his "purpose was to have remained in the castle of
"Kirkwall," which must have belonged to Bothwell as Duke
of Orkney;—"but Gilbert Balfour would not receive him"
(Spotswood, 213). History perhaps, in all its wretched va-
riety of characters, does not exhibit such another pair of bro-
thers as this, brothers equally in blood and in perfidiousness.

by Nelson, as, withholding the key of the postern from him, and retaining it in his own hands to the last; and expressly accused in Ormeston's confession, of furnishing the murderers with keys.

But there must have been a servant of the King's, equally in the plot against him. This was his cellarer. In the cellar had the mine been dug. "Thay keipit with thame selfis," says Buchanan, "the keyis of twa dures; the ane of the LAICHES, "ROWME, quhair they had underminit the wall, "and fillit the hoilis with gune-powder*." Many marks therefore of the digging, must have been apparent to him. A part of the powder had even been put, as the indictment against one of the actors imports, "within the vaults, low and dern parts and places, of the lodging." He must accordingly have seen it there. But as the same indictment informs us, that the mine itself had been sunk "under the ground, and angular stands, of the building;" the whole house must have been propped previously to the sinking, and have continued propped during all the period before the firing of it, by large beams of timber in the cellar. Accordingly Buchanan, who frequently gives us strong sprinklings of truth amidst his mass of fiction, speaks of the house as "REVIN and ruinous;" and as one that "of itself wald haif fallin downe, GIF IT HAD NOT BENE ROTCHED UP FOR YE TYME, to serve ye turne of yis nichtis sacrifice†." And the diggings, the powder, and

* Anderson, ii. 69—70, and Jebb, i. 261.
 derferon, 18, and 66, Jebb, 250, and 243.

† An-

the props, must all have spoke with the force of a flash of lightening, to the eyes and the understanding of the cellarer. He was therefore obliged to be let into the secret of the plot: "So let, when Balfour the owner did not produce, and said he could not find, the key of the postern in the cellar; "Bonkle in the cellar said," as Thomas Nelson informs us, "he suld clois it weill aneuch within *." Yet he never closed it, as the event shews. And because "Bonkle had the key of the cellar," as Nelson equally informs us, and as his office required him to have; while Paris, by virtue of *his* office, had with Betoun the keys of the Queen's chamber above †; Buchanan with great propriety represents the murderers, as having equally the keys of the chamber, the cellar, and the postern, in their own possession: "THAY thocht it not aneuch to have "set oppin the postern in the wall, to let in theis "chairat—; bot als wa THAY keipit with thame—"Telfis the keyis of twa duers, the ane of the "laicher rowme quhair they had undermynit the "wall, and fillit the hoilis with gune-powder, and "the uther of the upper rowme ‡." And from the plain connection between this attempt upon the life of the King by powder, and that immediately preceding by poison, we are naturally led to suppose; that, as the King's cellarer was clearly concerned in the one, he was equally concerned in the other; that he was the man, by whom the poison was secretly administered to the King; and that he

* Goodall, ii. 244.
ii. 69, and Jebb, i. 261.

† Ibid. 243.

‡ Anderson.

administered

administered it to him, in some of the King's liquors under his care.

In these clear evidences of an union between Balfour, the owner of the house, Bonkle, the cellarer of the King, and the band of murderers, it appears surprizing at first, that neither of those two persons was ever called before the privy council, to be examined concerning the fact. But the wonder ceases, the moment we reflect on the circumstances. The principal persons in the council, had been actually concerned in the murder. We have accordingly seen Buchanan's account of the examination made by the council, of the poor people that lived in the adjoining almshouses. Let us now see another, that he gives of the same incident, but more full and circumstantial. "The day following, at efternoone," he says, "—Both well, the principal doer of the vyle act, with certane *uther that wer previe to the same*," probably Morton, Lethington, Sir James Balfour clerk of the register, Sir John Bellenden clerk of the justiciary, and Sir William Murray comptroller of the household *, "assemblit togidder with the Erie of Argyle—: first, as thocht yai had bene utterly ignorant of all yat ever was done, yai begin to wonder at the — mater. — Then thay begin to be busie a lytill about yair inquiry: they send for ane few pure fillie *women*, that dwelt thairabout; quhilk pure sauls standing in doubt, quhidder it wes better for thame to tell or hald

* Anderfon, i. 38, 50; and Keith, App. 113, 124, and 163.

"yair peace, thoct thay danctily temperit yair
 "speich, zit *quhen they had blabbit out samthing*
 "mair than ye judges lukit for, thay wer dismissit
 "agane as fuillis that had bot undiscreitly spoken.
 "For thair testimoneis, *thocht thay twichit sum*
 "*folkis schrewisly*, zit thay wer sic as thay might
 "easlie set light by*." After these was called
 Thomas Nelson, the only survivor of the servants
 then in the house †. "Amangis utheris thingis,"
 he says himself, but he ought in honesty to have
 told us what the "utheris thingis" were, he "was
 "enquired about the keyis of the lugeing." The
 lords knew the murder to have been by a mine,
 as is plain from their proclamation of the next
 day but one, compared with the Queen's letter of
 the very next day. They should therefore have
 enquired principally, concerning the key of that
 cellar, which must have been the seat of the mine,
 and the key of that postern, which must have
 been the private entrance into it. But do they?
 Let Nelson himself tell. "This deponer schew,
 "that Bonkle had the key of the sellar, and
 "the Quenis servandis the keyis of hir chal-
 "mer ‡." What connection could there pos-
 sibly be, between a mine in the cellar and the
 bed-room of the Queen? None certainly. Yet he
 relates who had the keys of her bed-room; while
 he forgets to relate a much more material circum-
 stance, and to tell the council who had the key of
 the postern. He forgot it now, though he re-
 membered it very well, nearly two years afterwards.

* Anderson, ii. 24, and Jebb, i. 245.
 † Goodall, ii. 245.

† Ibid. ibid.

‡ Goodall, ii. 245.

Nor did the council remind him of his forgetfulness. They did not even send for Bonkle, who had been charged by him with having the key of the cellar, and who had taken care not to be in the house the night it was blown up *. And it is the less to be wondered at therefore, that they did not send for Balfour the owner of the house: "The laird of Tulybardin," who afterwards embarked deeply in the rebellion, and was brother to the James Murray; that in private papers charged Bothwell and others with the murder; "hearing" Nelson's account of the keys belonging to the Queen's bedroom and to the cellar, "said, Hald thair, hair is "ane ground." He could not mean, that here was any ground of accusation against the Queen. Her servants must necessarily have the keys of her chamber. He was then sitting also in her own council. Such an insinuation there, would instantly have drawn down the vengeance of the law, upon him. And he only meant to intimate, that, in the account of the key of the cellar, there was a ground of suspicion against Bonkle. This there certainly was. This therefore, he intimated, ought to be pursued immediately, and before they proceeded any further. Nor did he say this, with a view of following the light given by Nelson, and of calling Bonkle to a strict examination. The factious character of the man, his factious connections, and the conclusion that he put to the whole, all forbid us to suppose it. He said so, in order to stop the enquiry, under pretence of prosecuting it,

* Goodall, ii. 245.

to prevent any questions that might immediately have ensued, concerning the key of the postern; to put off the present informer, under the shew of sending for the other; and then to evade the examination of both for ever. "EFTER QUHILK WORDIS "SPOKEN," says Nelson, "thay LEFT OFF, and "proceeded na farther IN THE INQUISITIOUN *." And, as Buchanan very usefully adds, "sa the enquiry, for maneris sake, was continewit," was adjourned to another day; "BOT INDEID SUPPRES- "SIT, for feir *leif*, gif *they* *proceidit* further, the "SECREITIS OF THE COURT," of the combined murderers then in the court, "MIGHT HAPPIN TO "BE DISCLOISIT †."

* Goodall, ii. 245. † Anderson, ii. 25, and Jebb, i. 245. So p. 82, "then was the inquiry adjornit, and never "continewit" (Jebb, i. 265). And yet Dr. Robertson endeavours to draw a charge against Mary, from this remissness of the murderers in investigating their own murder, Diss. 17—18.

Flectere si nequeo superos, ACHERONTA movebo,

§ IV.

The first effective step towards the murder, then, was the formation of a mine under the house. This would be a work of some labour and some time. The house also must have been propped up carefully and firmly within. It would otherwise have come down upon the heads of the miners. But must not the introduction of beams of timber, large and strong enough for the support of two stories of rooms, have required too many hands, and have occasioned too great a stir, not to be noticed? Or would the work of preparing the house for the King's reception, be used as a pretence to cover it; the latter going on in the day, and the former in the night; and both being made to appear to the only neighbours, the women in the adjoining alms-houses, as parts of one plan? In all probability, the women saw and heard nothing of the beams of timber coming in. They were brought in by the postern. The men also, that introduced, and that fixed them up, went backwards and forwards through the postern. The women could there see nothing of their operations and movements. The town-wall rose high and broad before. And there was only the fields behind. Yet they could not but hear the noise of some of the operations. The fixing of the timbers in the ground, the attaching of them to the beams, the

the noise of the pick-axes in digging, and the voices of the men in working, must necessarily have been heard in the stillness of the night, and could not but have attracted their attention. Yet all would naturally be referred to the haste of preparations for the King's arrival, which required the night to be added to the day. Nor would any idea so extravagant, as that of a plot for blowing up the house, have ever started into their heads. Afterwards indeed, when the fact had been done; when the confusedness of amazement and terror had a little subsided, at an explosion so dreadful and so near, their memories would endeavour to trace with attention every circumstance, that might seem to lead to a discovery. They had heard noises in the house by night. They had seen lights in the cellar. And they told, says Buchanan, all that they had "seen" and "heard."

In the mean time the Queen's workmen, who were there by day fitting up one bed for the King, and others for his immediate attendants*, saw nothing of the preparations making, to blow up the attendants and the King in the air. These were all confined to the cellar. Into that they had no occasion to go. Balfour, the owner of the house, kept the key. He was in the plot. He would therefore take particular care to keep it. Even, when he gave it up on the King's arrival, he gave it to Bonkle, who was equally in the plot, and who would prevent any attempt of the other servants to

* Goodall, ii. 244—245.

enter the cellar. And the pretended loss of the postern-key, and the pretended closure of the postern-door within, precluded all desires in them, of passing through the cellar and the town-wall into the fields *.

Yet which of the conspirators were peculiarly concerned, in this first act of the bloody tragedy? Bothwell certainly was not. He went with the Queen towards Glasgow on the 21st, and did not return till the 23d at night. He lay not, however, at his own lodgings in the palace. He went into the city, and slept there †. He slept most probably at Sir James Balfour's. Early the next morning he went to Kirk-a-field with Sir James, to view the works going on, and to feast his eyes with the scene, in which he was not yet to take an active part ‡. And that evening, in order probably to prepare a body of troops among the soldiery of the *marches*, then under his command, he set off for Lydisdale, and did not return till the day before the King's arrival §. He had therefore no efficient part in the business at present. The whole of the present operations, seems to have been managed by Morton, Murray, Lethington, and their adherents. Morton was undoubtedly engaged. In 1581 he was at last brought to that trial for the fact, which Murray escaped only by the stroke of assassination, and Lethington by the force of poison. But his indictment was drawn up in a very significant

* Goodall, ii. 244—245.

‡ Ibid. ibid. and Goodall, ii. 77.

† Appendix, No x.

§ Appendix, No x.

manner.

manner. It did not merely import, that he was concerned in the immediate act of the murder. No ! It stated equally, that he was engaged in the previous part of it. It charged, that "*the powder*" had been a little before *placed* and *put in* by HIM "and his accomplices, under the ground, and angular stands, and within the vaults, low and dearn parts and places, of the lodging;" with which it was blown up. So precise an account had some of the King's ministers then procured, of the several parts which the murderers had taken respectively in the work ! The jury also, say Crawford's Memoirs, and the record of the trial, "being ripely advised" with his *inditement*, the TOKENS INFALLIBLE AND MOST AVIDENT, with the probatiouns produced and used for verifying thereof, DID ALL, WITH ONE VOICE, find the said Earl of Morton guilty, "*arte and parte*, in the foreknowledge, and concealing the King's murder;" meaning by *arte und parte* (a phrase still used in the criminal law of Scotland), that he was proved a confederate and associate in the murder. And David Moyse, then an officer in the King's household, informs us additionally in his Memoirs, that the jury found him guilty, "in respect of SUNDRY EVIDENCES in his *dittay* [indictment] presented to the affize [jury];" of which some WERE SUBSCRIBED WITH HIS OWN HAND," the interchangeable indentures for the murder of the King, produced by Sir James Balfour, who had been sent for on purpose out of France; "and otherways it was attested by the DEPOSITIONS OF SOME PERSONS, ACTORS of

"that horrible fact *," Balfour himself, probably, and others. Morton, therefore, was engaged in the act of sinking the mine and of charging it. Yet who were his accomplices? Murray, no doubt, was one. He generally indeed withdrew himself from the scene of action, when any violence was to be committed. He particularly withdrew himself from the murder. But he did not do so, till the very day before. He was present during all the mining process. And he would be made by the rest to take his share in it. Lethington and Sir James Balfour seem to have been equally there. The former is made by Murray in one of Paris's confessions, to unite with Bothwell in recommending Kirk-a-field for the King's residence†. I have also with me in this scheme of the murder, Bothwell is made by Murray to say in Paris's other confession, "Lethington, who is esteemed one of the best ingines or spirits of his country, who is the enterpriser of all this thing." And "both Lyddington and the Lord Morton," says Mary herself, "were assentyng to the murder of her husband, *as it could well be proved*‡." Lethington was engaged undoubtedly in the general act §. But Balfour is expressly declared by Murray, in Paris's second confession, "not to have slept

* Crawford, 373; Moyle, 54; Robertson, ii. 463; Arnot's Criminal Trials, 391; and Camden, Orig. 312; Trans. 258. † Goodall, ii. 78. ‡ Ibid. i. 140, and ii. 71.

§ See his own confession of his guilt to Morton, &c. in Goodall, i. 400, and Tytler, 246, from Banantyne's continuation of Knox's History, in Calderwood's MS. History.

"all one night, in preparing the lodging, and putting the whole in order *." He had been particularly employed, "in examining and determining which would be the best way of access into the house †." He is represented by one of Buchanan's confessions, to have been "the principall counsellar and *drwyser*" of the murder. He appears to have had Bothwell's part of the indentures for the murder, in his own custody. He was himself, says our Walsingham, "condemned of the slaughter of the King's father." And he expressly required from Murray, on surrendering the castle of Edinburgh to him, "a remission for art and part of the King's murder ‡."

There were others, however, very deeply concerned in this black transaction. There were some, who have never been suspected. And let me now drag them forth to the public eye.

"The continuator of Hollinshed (who seems to have been *better acquainted than any of his contemporaries, with the affairs of Scotland*) is of opinion; that this confession," the confession concerning the murder, published as made by Morton before he went to the block, "is really an apology, *drawn up for the Earl by such of the presbytery, as were present at his execution, and favoured him in all respects, seeking to clear him of any*

* Goodall, ii. 77—78. † Ibid. 81. ‡ Anderson, ii. 159, Crawford, 50, and Robertson, ii. 463. See also Moyse, 48, for "Sir James Balfour, who was returned to Scotland, and known to be culpable of the King's murder."

"*evil imposed against him.**" Such was it, in the opinion of that cotemporary and knowing author, *even as he had it*. Yet he had it much fuller, than we have at present. He had it; with a specification of the persons concerned in the murder with Morton. And the confession was then a *long* one, charging the *cause*, the *contrivance*, and the *execution*, upon the persons specified. "The same continuator, in the uncastrated edition of his history, intimates that he had a *copy* of the same confession, but that he omitted *PART* of it, OUT OF "TENDERNESS TO PEOPLE LIVING †." Even garbled as the confession was by the presbyterian ministers, who attended Morton to the scaffold; and who, to shade over the villainy of that grand supporter of Protestantism and forgery against Mary, presumed to make one forgery more; yet there was too much of the general villainy disclosed, for the continuator to publish what the Earl had confessed. "In his castrated edition he says, that "Morton OPENED A LARGE DISCOURSE, laying "the CAUSE, the CONTRIVING, and the EXECUTION of the murder, on GREAT PERSONS NOW "LIVING ‡." Yet we have no such thing in our present copies of the confession. Our best view of the confession, indeed, is what is exhibited to us by this author. And he owns he kept this important part out of sight. But, though he suppressed the part, he intimated in general the contents of it. Of these he spoke too plainly, it seems, for his own

* Guthry's Scotch Hist. vi. 384.

† Ibid. *ibid.*

‡ Ibid. *ibid.*

quiet. "The hint given by Hollinshed's continuator concerning *living* persons, *procured an order from court*, for cancelling *that* leaf of this work, among others*." And

Let the gall'd jade wince, our withers are un-wrung.

There is something in these passages indeed, that may well "wring the withers" of the guilty. They notice a mystery of iniquity, which has never been yet laid open. But let us follow the notice, and lay open the mystery.

Why should Hooker, *alias* Vowel, who continued the History of Hollinshed down to the year 1586, and who published it so continued in 1587, be averse to publish a part of Morton's confession in ENGLAND; and actually suppress that very part in ENGLAND, which the presbyterian ministers had published before in Scotland? He suppressed it, "out of tenderness to people living" in ENGLAND. *Some* of the persons specified by Morton, as equally concerned with himself in "the cause, the contriving, and the execution of the murder," were persons actually then alive in ENGLAND. Nor could it be *merely* out of "tenderness" to them, that he suppressed what the ministers had not suppressed. It was also out of apprehensiveness for himself. For they were GREAT PERSONS. They were GREAT in ENGLAND. And to have such persons charged in ENGLAND, even by the dying words of Morton himself, with a share and concern in the murder; was sure to draw down vengeance upon the head of the publisher.

* Guthry's Scotch Hist. vi. 385.

Yet who were these *great persons of England*, that were so charged? Since the author has suppressed all this part of the confession, and since we have no copy of the whole so perfect as his was, the ministers soon *garbling* more their own garbled copy*; it may seem impossible to point them out. Yet it is not. "The galled jade" did "wince," and betrayed itself by the act. ELIZABETH and CECIL, who had interposed, probably, to have the copy more garbled, sent a tyrannical mandate for cancelling a leaf of the impression. The author said he had omitted a part of the confession, "out of tenderness to people living." This they commanded to be expunged. And as such a violent interposition of the crown for such a slight cause, shews clearly the situation in which he would have been, if he had *not* suppressed the part; so it plainly proves the QUEEN and the MINISTER, even in *their own* opinions, to have been some of the persons particularly meant by him.

Nor let it be thought incredible, that they should be parties in the murder. No one can doubt the competency of their principles for such an act, who only looks at their activities in the murder of Mary herself. The passages above speak loudly against them. They intimate them very plainly, to have been at the bottom of this whole transaction. And the refusal of Elizabeth to deli-

* Hence the copy in Crawfords Memoirs, 374—375, and the accounts in Moyse, 54—55, Spotswood, 313—314, &c. &c. The first copies, those of the continuator, were suppressed; and these circulated in their room.

ver Archibald Douglas, who "was known to be "guilty of the murther," up to the vengeance of King James; though "the King had often, by his "letters and ambassages, intreated the Queen of "England to have him delivered *:" her concurrence, by means of her profligate embassador Randolph, in a collusive trial, and in an infamous acquittal, of him at last †: and, what is still stronger than either, her wild and extravagant interference, her base tricks of fraudulence, and her daring efforts of violence, her moving earth and hell, to save Morton also from the arm of justice; that very Morton too, who, even in his *garbled* confession, acknowledges he knew Archibald to be guilty of the murder, and who patronized and preferred him notwithstanding ‡: these three very remarkable incidents concur with the passages above, to prove the deep concern of Cecil and Elizabeth, in the murder perpetrated by Morton and by Douglas.

It now appears indeed, that Elizabeth had a reason of a very particular nature, for endeavouring to save Morton, and probably Douglas too, from the punishment justly due for their crimes. Douglas probably, and Morton certainly, knew of *her* share in the murder. They might confess it. And then that consummation of hypocrisy and of savageness, which she had been practising; in pretending to try Mary for a murder, of which she knew *herself* and the rebels to have been the joint authors; would be all exposed to the eyes of the astonished

* Spotswood, 347—348.
wood, 310, and 314.

† Moyse, 108.

‡ Spots-

world. She therefore saved Douglas. But she could not save Morton. He confessed. This confession was thought so ample by James at the time, that he mitigated the original sentence against him immediately *. Yet the presbyterian ministers, to whom it had been made, published it afterwards in Scotland under a softened form. Even under this form, however, it durst not shew its face in England. The ministers had very naturally softened at first, only what related to Morton himself. They had left all the rest, to stand as it stood before. The intimation particularly, concerning the share of Elizabeth and of Cecil in the murder, was left all un-altered. This was accordingly so powerful an evidence against them, that the historian could not venture to publish it. Yet he honourably informed his readers, that he had suppressed it. He informed them, that he suppressed it out of *tenderness* to some persons then alive in England. He thus spoke very delicately. Nothing but consciousness could have understood the meaning, and nothing but guilt could have felt the force, of the intimation. Yet Elizabeth understood and felt. Elizabeth therefore stepped forward with all her habits of tyranny, to suppress it. The author was obliged to cancel the leaf, which he had printed. But then he was induced by the violence, in his new leaf to speak out concerning the persons meant, more openly than he had spoken before. Thus did that bold and impudent endea-

* Spotswood, 314.

vour to vitiate the veracity of history, in order to screen a couple of concealed murderers from the most distant glance of suspicion, terminate just as such endeavours should always do, and serve to call out an additional and plainer notification of them to the world. And the guilt of this wretched woman, Elizabeth, and the guilt of that wretched man, Cecil, appear too evident at last upon the face of the whole.

Indeed, as far as we can judge of the matter, the whole disposition of the murderous drama was this. The whole was originally planned and devised, betwixt Elizabeth, Cecil, Morton, and Murray. The preparatory part of the execution, was to be managed by Murray, Morton, and Lethington, with their respective partisans. But the act of setting fire to the mine, was to be done by Bothwell and his partisans. Only some of Bothwell's were to unite in the previous part, and some of Morton's at least in the final. Hence Morton appears to have been no more engaged in setting fire to the mine, than Bothwell was in digging it. Yet the assistance of Sir James Balfour was requisite in the digging; as it was by him, I suppose, they engaged the owner of the house in the plot, so got admittance for the present work, and secured an entry for the future. Some of Morton's immediate dependents also, as we shall soon see, were actually concerned with Bothwell in setting fire to the mine*. And Elizabeth, we may be certain, was
to

* I particularly allude to Archibald Douglas, mentioned before.

to defend the original and more iniquitous part of the conspirators, Morton and Murray, in charging their own murder upon the innocent Mary, and in forcing her into a marriage with Bothwell, that they might charge her the more effectually.

fore. This man is said by Morton to have been "at that time a dependor upon Bothwell," Spotswood, 314. But this could only be a temporary dependance, and contrived by Morton for an insidious purpose on Bothwell. Douglas was actual *cousin* to Morton (Moyse, 46). He therefore speaks of himself, as "being so near of his kin" (Robertson, ii. 435). He was also concerned with Morton, in the murder of Rizzio (433). He was banished with Morton. He was then sent by Morton into Scotland, to negotiate for his return. He returned with him (434). He went from Morton to bring back Bothwell's answer, concerning the murder (435). "Schaw to the Earl Morton," was the answer by the mouth of Lethington, "that the Queen will bear no speech of that matter appointed unto him." He was, after the murder, made a Lord of Session by Morton (Arnot's Trials, 7). And we may therefore be very sure from all, that, if he was at the murder, he was "sent for that purpose by the Earl of Morton" (Moyse, 49).

§ V.

In this state was the conspiracy and the house, at the time, of the Queen's alighting before the latter, on January 30th, with the sick King in his litter. He and his attendants little thought of the bed of destruction, that was prepared for them below. He took up his residence in an upper room. This was hung with tapestry for him. A new bed of black figured velvet had been put up there. A large vat was also placed in the room, for the King's bathings. This was covered with a door, that was taken off the hinges at the entrance of the house from the portal, as the portal had a pair of folding-doors to it. And, apprehensive of the new bed being sullied by the King's bathing in the vat, the Queen then ordered the former to be taken down, and an old travelling bed of purple to be placed in its room*. The zeal of Mary's enemies enables us to relate these little particulars. They are harmless, but curious. And, in a few days, the Queen condescended so far in attention to her husband, as to order a bed to be set up in the house for herself. A green bed was accordingly set up for her, in the room below the King's. There she slept at times, to avoid the trouble and disagreeableness of going out late from the house, and *riding* in the night-air with her attendants, through the city to her palace. She slept there, says Buchanan, two nights

* Goddall, ii. 244.

in the week before the murder*. Thomas Nelson also deposes, that there "sche lay tua nychtis, viz. "the Wednisdlay and Friday befor his murder †." But they are both mistaken. Nelson we may suppose to have orally deceived Buchanan; and Nelson himself to have been deceived in his memory, by the distance of time at which he made his deposition, on December the 8th, 1568, and two-and-twenty months after the murder. We have another account, however, in the second confession of Paris. This plainly studies *not* to contradict Nelson, and yet contradicts him directly. His and Buchanan's two nights it allows. But the former of the nights it expressly asserts, at first, to have been either "Wednesday or Thursday," and yet afterwards states it positively to have been Thursday ‡. And as such a variation between Paris, Buchanan, and Nelson, and such a variation in Paris himself, concerning such a circumstance, both serve to confirm what I have so frequently pressed and proved before, the eternal uncertainty of forgery; so the assertions of all are compleatly disproved, by a paper of the highest authority. I have quoted already a letter of Mary's, which was written only the day after the murder. In this she says thus: "we lay "*the maiest part* of all the last oulk [week] in that "same lodging §." And she therefore slept four or five days at Kirk-a-field.

The King and Queen lay in the right-hand or

* Anderſon, ii. 71, and Jebb, i. 262.
244 † Ibid. 79—81, and i. 137.

‡ Goodall, ii.
§ Keith, Pref. viii.

southerly rooms above and below. The King's communicated with a gallery on the southerly side of it, which was called the little gallery, and had been, I apprehend, the private dormitory of the provost. It had a window in the gable-end of the house, that looked through the wall of the town, into the gardens and fields beyond. It was a chamber annexed to the house, posteriorly to the building of the whole; having "a gret ston wall" betwixt the King's chamber and "it, and resting probably at the other end, upon a broad ledging in the substance of the town-wall. And, while an elderly attendant slept in the King's own room, a young son of this attendant's, and two servants of the King's chamber, lay in the gallery adjoining. But there must have been a couple of chambers more, answering to those of the King and Queen, and a great gallery, answering to the little gallery upon the other side. Those rooms and this gallery formed apartments above, for Bonkle the cellarer, for Mackay and Glen, two more grooms of the King's chamber, and for Beton and Paris, when the Queen slept there; and for the Queen's lady in waiting, below. This second gallery, I suppose, was at the northern gable-end of the house, and originally the common dormitory of the prebendaries. It stood probably upon pillars, and so formed a cloister for walking below. Nor could the Queen, as she slept there the greatest part of the week before the murder, have been without some of her ladies attending upon her. And she actually had Lady Reres with her every night. The house thus con-

sisted of two rooms above, two rooms below, two galleries; and a cellar under all. The whole stood *endlong* to the town-wall. The southern gable-end, and the cellar, had each an opening through the wall. A garden lay behind the house, and ran along the wall. And in this, when the King was retired to rest, the Queen used to breathe the fresh air after her confinement in his chamber, and to divert the melancholy of her kind attendance upon him, by joining with Lady Reres in a song*.

In

* Goodall, ii. 241, "Thomas Nelson," who lay in what is hereafter called the little gallery, "scaped by reason of a gret ston wall betwixt the King's chamber and that place wherein he did lye;" 245, "the *litill* gallery, that went direct to *south* out of the Kingis chalmer, havand ane window in the *gavel* throw the town-wall;" and 244, "that door, quhilk passed through the fellar and the town-wall." Thomas Nelson speaks only of himself, William Taylor, Edward Symonis, and William Taylor's boy, as in the house with the King (ii. 245). Buchanan also speaks of "na man left within, bot ane zounge man not zit recoverit of seiknes, and ane auld man febil be age, and twa strangeris unacquainted with the places, mater, and persones" (71, Anderson, ii. and 261, Jebb, i.). But even Bellenden's account of the trial of the murderers, speaks of William Taylor, and "Andro Maccaig," as murdered with the King (Anderson, ii. 191). The record also of Douglas's trial specifies William Taylor, who lay in the King's own chamber (Goodall, ii. 245), *Andrew Maccaig*, and *William Glen*; as all in the house, and as all grooms of the chamber, "*cubiculars*," to the King (Arnot's Criminal Trials, 9 and 18). And the key to the garden was kept by Beton, one of the Queen's attendants (Goodall, ii. 244), who is mentioned as one of the murderers by the rebels (Arnot, 384). Buchanan, therefore, represents *Paris* to have kept the key "of the back-gate" (Anderson, ii. 21, and Jebb,

In this view of the house, it appears to have been a small one, and a small quantity of powder would be sufficient to blow it up. But why did the murderers defer the execution of their project, for so many days after the King's return? In all probability, the Queen's coming to lodge in the house was the reason. Mary indeed fancied, immediately after the blow was struck, that it was intended equally for her as for him. "Quha ever have taken this wicked interprys in hand," she says in her letter of the very next day, "we assure ourself it wes dressit alsweill for us as for the King*." This was very natural for her to suppose, at the time. But we know more than she did then. We know, that in this business there was an upper and an under plot, and both concurring to carry on the main business of the piece. Murray, Morton, and Lethington, long hackneyed in the practices of rebellion, and cemented in a dreadful union together by the blood of the murdered Rizzio, were the first projectors of it. They had drawn Bothwell into the conspiracy with them, a man hitherto attached to the crown, hitherto faithful to his duty, and hitherto active and vigorous against them. But what would not yield to the common principles of

Jebb, i. 245); it being "the key of the passage that pass toward the gairding" (Goodall, ii. 244). And as from L. ii. § 4. Beton seems to have gone from the Queen at Glasgow, to attend a court of Sir James Balfour's; and as he and Sir James were equally in the plot; he went probably with intelligence to the conspirators, concerning the Queen's return.

* Keith, Pref. viii.

seduction, had given way to the force of a particular temptation. He had been useful. He had been treated with distinction. He began to found ambition upon gratitude. The rescuer of the Queen aspired to become her husband. And he, who could not be perverted from the line of duty, was induced by those artful spirits whom he had opposed, to make fidelity do the work of rebellion in him. He was married indeed. So was she. But, when the mind once fastens upon a favourite object, it overlooks all obstructions to it; and if devoid of principle in itself, and especially if goaded eagerly on by the Grand Tempter and his human instruments, resolves to level all obstructions before it. He meant to procure a divorce, for consanguinity. And he united with these native children of rebellion, to whom he had ever been adverse before, in making a bloody divorce between the Queen and her husband. Just so, Darnly himself had confederated before with those very rebels, in the murder of Rizzio. They were ready to confederate with men or devils, for the prosecution of their villainous purposes. They had confederated with *him* against Bothwell and others. They were now confederating with Bothwell against him. And they speedily confederated with others against Bothwell. But, in *this* state of the present plot, the under part prevented the upper from taking such an ample sweep of flagitiousness, as the souls of its framers would naturally have aimed to take, and from involving the Queen in the same ruin with her husband. Bothwell's adherents had the key of the postern,

poftern, in the hands of Balfour the owner. Bothwell himfelf was to act with his adherents, in fetting fire to the mine. And as he would undoubtedly take care not to blaft his own views, by destroying Mary together with Darnly; fo the Queen's fleeping in the houfe the greateft part of the week before, would undoubtedly occafion him to defer it.

Why the execution had not taken place, *before* ſhe came to fleep there; does not appear. In all probability, the natural irrefolution of the moft audacious fpirits at the execution of fuch a deed of horror; and the peculiar irrefolution of him, who was to be one of the two great agents in it, and who, though very profligate, was not fo thoroughly abandoned as his brothers in villainy; prevented it at firft. Then the Queen's lodging in the palace fufpended it afterwards. And, when it was executed at laft, it was executed only becaufe ſhe was accidentally abſent for a night *.

* I wiſh here to make ſome remarks upon the ſecond confeſſion of Paris, for which this is the proper place. They will ſerve to demonſtrate compleatly the ſpuriousneſs of that work, and ſo carry on very uſefully my general deſign in the whole.

In a part of the confeſſion which is in Goodall, ii. 79, 80, and 81, Paris ſays, “ que le jour que Monſ. de Boduel lui “ avoit communiqué le fait de meurtre de Roy,” as in the firſt confeſſion is mentioned; and, as is there ſtated to have been, “ upon *Wednesday or Thursday* before the Sunday of the King's “ murder” (Goodall, i. 137); “ qui fuſt le meſme jour que “ la Roynne couchaſt au logis du Roy a *Kirk-a-field* (ainſi comme “ *il en ſouvient fort bien*),” &c. This night of the Queen's lodging at *Kirk-a-field*, then, is here ſtated to have been “ *Wednesday or Thursday*” before the murder, This Paris

remembered *very well*. But it was only the first night. The second was Friday: "*Vendredi, la nuit la Royne coucha encores au logis du Roy.*" The first night she employed thus: "*Étant couché, ne dormoyt point toute la nuit.*" How can Paris possibly know that? Let the sequel tell: "*Ains escrivoit de lettres a Monf. de Boduel, et les envoye par le dict Paris au Sieur de Boduel.*" Paris knew that she was writing letters in bed, it seems, because she—rang her bell, no doubt; and called him into her bed-room in the dead of the night, even while she was in bed herself, without one female attendant near her; and gave him the letter which she had been writing. Such are Queens, in the opinion of this confession-writer! But at what hour of the night was this? About eleven or twelve, "*environ l'onze ou douze heures de nuit.*" Yet he affirms before, that she did not sleep "*toute la nuit, ains escrivoit de lettres.*" With such a wretched memory was this falsifier cursed! And so fully does one part of a falsehood in him, refute and repel the other!

Paris went, however, with the letter to Bothwell, then at Holyrood-house. "*Ayant delivré ceste lettre au dict Sieur de Boduel, il rescrit, étant au lit; et, en baillant la responce au dict Paris, il lui dict, Dites a la Royne, que je ne dormiray point que je ne ascheve mon entreprise.*" This is a most gallant resolution. It was now, we must remember, "*Wednesday or Thursday*" night. The murder was not executed till about two on Monday morning. And yet Bothwell, in the ardour of his zeal for Mary, vows never to sleep again till all is over, and to continue waking all the rest of Wednesday or Thursday night, all Friday night, all Saturday night, and all Sunday night, till two in the morning of Monday. Such is the wild absurdity of this confession! And such are its heroes and heroines!

Paris returned to the Queen with this verbal message, and a written answer, from Bothwell. It was morning before he reached her. But lo! at this instant we find him no longer uncertain, whether the day before was "*Wednesday or Thursday*." He is now certain, without noticing his own uncertainty. It was actually Thursday. For *this*, he says, is Friday morning. "*Étant de retour vers la Royne Vendredi au matin.*"

Such

Such another proof have we here, of the wretched memory of this falsifier! And so plainly do we again find one of his falsehoods, refusing and repelling another!

The Queen again received him into her bed-room, while she was in bed. He there presented her with Bothwell's written answer. He there rehearsed to her Bothwell's verbal message. The Queen made a laughing reply to the latter. "Et ce disoyt-elle, estant *au lit*." Well might Mary be esteemed an adulteress, when she admitted such fellows to visit her in bed at such hours!

There is also another tale concerning Paris and his Queen, in another part of the confession; which runs parallel with the present in vulgar impertinence, and is a very notable addition to it. In Goodall, ii. 82, Paris is equally made to say, that the morning after the murder, betwixt nine and ten, "entre neuf et dix heures," he entered the Queen's bed-room, *even while she was again in bed*, and with all the easy familiarity with which he would have gone into his own. Yet she had not *then* rung her bell for him. He went in, however. Called or un-called, he could never enter improperly. She had no privacies, as a woman. She had no dignity, as a lady. She had no majesty, as a queen. He therefore presumed to open her bed-room door. He found the bed covered with black. He found the window-curtains drawn close. He found candles lighted upon the toilet. These were all tokens of royal mourning. Yet she must have been very recollected, and very speedy, to have had them provided so soon. *This* was the designed insinuation of the forgery here. But Buchanan had previously asserted the fact to be quite contrary, with the aim of slandering her for *not* mourning soon enough. On the morning of the murder, *he* says, and after she had sent out to enquire about it, "scho himself-settillit hir to rest, with ane countenance sa quyet, and mynde sa untroubillit, that scho *sweetly sleipit till the next day at none*;" and it was not till she had "causit him to be buryit," that "be lytill and lytill scho *began* to set hir face, and with counterfuting of *mourning* scho laubourit to appeis the hartis of the "grudgeing pepill" (Anderson, ii. 23—24, and 27, and Jebb, i. 245 and 246). Yet *here* she is all awake, and *here* she is keeping her mourning, betwixt nine and ten of the very morning

morning of the murder. And the one falsehood destroys the other effectually. Paris however ventured in. He advanced into all this scene of mourning. He had a particular reason, it seems, for doing so. *He came to breakfast there.* He accordingly *had his breakfast served to him there.* It was a single egg, spare and mourning diet! "Madame de Briant luy donnoit a " *dejeuner une ouf là.*" And, *while he was at breakfast there,* Bothwell, as if by compact with him and with the Devil, came in, went up to the bed, and whispered with the Queen behind the curtains. "Monsieur de Boduel arriva, et parla a elle fectivement soubz la courtine." The Queen's bed-room, even while she was in bed herself, was thus made the BUTTERY-HATCH to the palace, under the most elegant and polished princes in Europe!

But Mary suffered even more than all this, it seems, at Paris's former visit! Yet what could be more, unless Paris got into bed to her? She even did, what, in the estimation of a woman, would be more than suffering Paris to get into bed to her. SHE ACTUALLY ROSE, AND DRESSED HERSELF, BEFORE HIM. "Ce disoyt-elle, estant *au lit*: et, COMME ELLES'ABILLOIT, " le dict Paris prend le deux clefs *de la chambre de la Royne,*" &c.

Such is the astonishing *monstrosity* of a confession, that has been accepted by the world for authentic evidence! "One of " our late criminal judges," says Mr. Goodall, i. 136, "of " high character for knowledge and integrity, was by reading " it induced to believe every scandal, that had been thrown " out against the Queen." And yet it plainly carries, on examination, the marks of its own knavery in every lineament and feature of its face. The history of human opinions, is the severest of all possible satires upon the mental powers of man.

§ VI.

Mary had now visited the King daily. She had staid many hours with him, at every visit. She had even spent most of the evenings in the second week with him, and slept in the room below him*.

On Sunday, the 9th of February, she visited him in the evening, attended by Lady Reres, and accompanied by the Earls of Argyle, Huntly, Cassils, and Bothwell†. She also declared her determination to sleep there for the night‡. But about eleven o'clock she suddenly altered her resolution. She recollected the marriage, which had been that day celebrated between Francis Sebastian, one of the gentlemen in her train, and one of the ladies of her bed-chamber probably. And she had promised to honour the banquet with her presence, and to give her household a masque and a dance at night§.

Masquerades, it seems, had been introduced into Scotland a few years before; and not by the gay and popish Queen, but by that arch-protestant, the "rude, homely, and blunt" Murray, on his mar-

* Anderson, ii. 71, Jebb, i. 262, and Keith, Pref. viii.

† Anderson, ii. 22, 77; Jebb, i. 244, 262; Appendix, N° x. and Keith, *ibid.*

‡ Goodall, ii. 245, and Keith, *ibid.*

§ Goodall and Keith, *ibid.*; Appendix, N° x.; Anderson, ii. 77—78; and Jebb, i. 263—264.

riage to the Earl Marshal's daughter. Yet a masque and a dance upon a *Sunday* night, would shock the spirit of piety at present. Buchanan himself, however, does not take the least exception to the Queen's conduct, upon that account. There was, indeed, the very same sort of gaiety exhibited at the Queen's wedding to Darnly. "Upon *Sunday* in the morning, *between five and six*," says Randolph in a letter at the time, "she was conveyed by divers of her nobles to the chapell; she had upon her back the great mourning-gown of black, with the great wide mourning-hood, not unlike unto that which she wore the doulfull day of the burial of her husband." These were *her widow's weeds*. She was married, and received the sacrament. She went to her chamber afterwards. There "being required, according to the solemnity, to cast off her cares, and leave aside those sorrowfull garments;—she—changed her garments.—After the marriage, followeth commonly great cheer and dancing; to their dinner they were conveyed by the whole nobility; after dinner they danced awhile—; and as they dined so do they sup, some dancing there was *." The fact is, that the Sunday was not then considered, either in England or in Scotland, with the

* Keith, 196 and 197, and Robertson, ii. 348—349. See also Keith, 206, where, "the Sunday before,—the Lord Robert, the Lord John, and others, ran at the ring, six against six, disguised and apparelled, the one half like women, the other like strangers, in strange masking garments." Randolph, Dec. 7th, 1561.

sanctimonious

sanctimonious reverence, which we find of so much consequence to religion at present. This the conduct of Mary, the manner of Randolph, and the silence of Buchanan, all concur to shew. We owe the useful change in our opinions, to the influence of presbyterianism. And it was the gloomy severity of British Calvinism, which, correcting the gaiety before, and being corrected by it, has just served to throw a happy shade of solemnity, over this weekly day of combined devotions.

Mary had thus promised a masque and a dance to her household that night, on account of Sebastian's wedding; and now recollected her promise. The promise shews very strongly, the condescending friendliness of the Queen to all her household. She immediately mentioned her, recollected engagement to the King. She excused herself from staying with him. She kissed him. Her heart seems to have been particularly full at the moment; sympathizing, as it were, with the good intelligences about her; and receiving, as it were, some secret impressions of tenderness from them. And she took a ring off her finger, and gave it to him at parting*. What soul is there, even of the sternest disciples of faction, that does not sigh over a Queen, now, now devoted to destruction. She has the murderer of her husband, and the ravisher of herself, attending upon her. Her own future fate is a thousand times more wretched, than her

* Anderson, ii. 72, and Jebb, i. 262.

husband's. The whirlwind of death, that is to rise immediately, will waft *him* at once to a peaceful grave, where no Murraies can project, no Mortons prepare, and no Mortons and Bothwells execute, any further trains of mischief against him. But it involves *her* in a long maze of miseries. It gives the villains, who had eternally been plotting against her, a full capacity to ruin her. It gives Elizabeth the opportunity, for which her dastardly soul had been long upon the watch, of triumphing over her fallen greatness, and of insulting an integrity which upbraided her own conduct. And, what much more sensibly affected the feelings of an elevated mind like Mary's, it gave them both an occasion, which they eagerly embraced, of hurting her fame, of wounding her honour, and of sending her to the grave, after an imprisonment of eighteen years, with a load of obloquy on her head *.

This sudden change of resolution in the Queen, occasioned the immediate execution of the plot. It presented the opportunity, which Bothwell and Morton had probably been seeking for some days, It must be seized directly. It might not occur again. And the King, who was now able to sit up so late, would not be long an inhabitant of the house. The mine was therefore to be sprung that night. About twelve, the King retired to bed;

* "There is one injurie more," says the Bishop of Ross, "that doth grieve and molest this good guiltlesse Ladie more than all these,—that is, their shameful and most traitorous diffaming her," &c. Anderson, i. 40.

The

The man, who slept in his chamber, would retire afterwards. Then the boy and the two men, who slept in the adjoining gallery, would retire also. The extinction of *their* light, as seen through the window in the gable-end, was naturally the signal to the conspirators, waiting in the fields to see it. And by the time they would be fallen into a sound sleep, a little after two in the morning*, the villains entered the house by the postern-door, set fire to a train, and effected all that their hearts desired†.

But

* Goodall, ii. 245, and Keith, Pref. viii.

† This sudden and accidental springing of the mine, is inconsistent with *one particular* in the famous anecdote, which is related by the Bishop of Ross concerning Murray. "Is it unknown, think ye, the Erle of Murray," says the Bishop, "what the Lord Harris said to *your face* openly, even at *your owne table*, a few daies after the murder was committed? Did he not charge you with the FOREKNOWLEDGE of the same murder? Did not he, nullâ circuitione usus, *flatly and plainly* burden you, that you riding in Fiffe, and coming with one of your moste assured trusty servants, *the said day wherein you departed from Edenborough*, said to him among other talks, *'This night ere morning the Lorde Darley shall lose his life'*" (P. 75, Anderson, i). No doubt can be made concerning the truth of the general assertion here. It was immediately addressed by Lord Herreys himself to the Earl of Murray himself. It was addressed openly to him at his own table, and within a few days after the murder. He then and there charged him with a FOREKNOWLEDGE of the murder. And he confirmed his charge by an appeal to a speech, which Murray himself had made to a confidential servant the day before the murder, and which the servant had repeated since. The whole is also confirmed very strongly by two facts. In N° xii. of the Appendix I shall hereafter shew, that *Lord Herreys himself* united with
Lord

But how does Bothwell appear to have been concerned in this last and finishing stroke of the conspiracy?

Lord Boyd, to furnish the *incidents* mentioned in the Bishop's work. He therefore furnished the present. The Bishop received it immediately from him. And in the same spirit, with which he taxed Murray at his own table with a FOREKNOWLEDGE of the murder, he afterwards taxed him in a letter of challenge to Lord Lindsey. This lord had been informed, that Herreys had asserted in conversation, "my LORD REGENTIS GRACE, and his companie here present," Murray and his brother commissioners in London, "wer guiltie of the abhominable murder." Herreys stated his speech to be this, "Thair is of that companie present with the Earle of Murray, guiltie of that abhominable treffoun, in the FOREKNOWLEDGE and consent thairto." He evidently alluded then to his verbal challenge of Murray before. He now declares he meant not Lindsey. He meant, he intimates, only Murray. "Let *aucht*," he says, "of the PRINCIPALLIS that is of thame, subscribe the like writing ze have send to me," that is, challenge him as Lindsey had done; "and I SHALL POINT THAME FURTH, and fight with SUM of the tratourie thairin." In all this he hints at Murray only. *Murray himself saw he did.* He remembered the challenge at his own table. He therefore saw the tendency of this. He applied to Lord Leicester with "inoportune [*importune*] suit," to bring him and Herreys together. Leicester sent a verbal message for that purpose to Herreys. But this high-fouled peer refused to go, unless it was to aver, prove, and fight. "For the Erle of Murray," he replied upon paper, "swa lang as he misknawis his dewtie to his native Soverane, I will nether for his inoportunes [*importunities*] nor plesour travell. Bot—gif it be to ANSWER to sic writings as first I red befor your honouris at Westminster, the Quenis Majestie's commissioneris, and efter presentit unto hir Hienes," A WRITTEN ACCUSATION OF MURRAY FOR THE MURDER, of which *the commissioners have taken no notice*; "I ADVOW THAME, and, with the grace of Almighty God, SHALL LEIF NA PART UNPROWIN, that
"trewth

conspiracy? He appears very plainly. We need not indeed adduce any of the rebel evidences against

"trewth and honour requiris: *gubair of I haif sent your Lordship*
hairwith ANE COPIE; as alsua ane letter I ressavit this day of
 "the Lord Lyndsay, with my answer to it. Gif NEID SALL RE-
 "QUIRE MY AWIN PRESENCE TO ADVOW THE SAME, I
 "will pleis your Lordship to *advertis this my servand*; and I
 "SALL NOCHT FAILL TO BE THAIR AT THE HOUR AP-
 "POINTIT BY YOUR LORDSHIP, gif God fall spair my
 "lyif." But Murray dared not abide such a rencounter as
 this. He wanted not courage. But he knew his own guilt.
 He knew also that Herreys knew it. He therefore declined the
 trial. He actually shrunk up into an errant swiveller and boy,
 upon the occasion. He repaired to the Queen and council. It
 had been "murmurit and bruittit," he said, "that he and his
 "compane sould be guilte of the murther." This report he
 understood, he said, "to have procedit fra the Quene's of Scot-
 "land's commissonariss." And he *bequeined* his fate to them.
 "The Erle of Murray had MEANIT HIM to the Quenis Ma-
 "jestic and counsell" (Goodall, ii. 271—273, and 280). All
 this confirms the anecdote above, decisively. It is still farther
 confirmed, by a posterior challenge of the same nature, which
 the same Lord Herreys sent a few months afterward to Morton;
 when "he offered to fight—with the Earl of Mortoun upon that
 "head," that he was "upon the council, and consequently
 "airt and palrt, of the King's murther" (Melvill, 100, and
 Crawford, 137). All proves the anecdote beyond a possibility
 of doubt. Yet there has been a mistake made in it, concerning
 the predicted day of the death. Murray *could* not have said,
 "*This day ere morning* Lorde Darley shall lose his life," He
 could only have said, *within two or three days* he would. Even
 Bothwell himself, the great agent with Morton in this scene of
 the business, could not know he should execute it till eleven
 o'clock that night; till the Queen changed her resolution of
 sleeping at Kirk-a-field, and went away to Holyrood-house. We
 are sure, from the united testimonies of Mary and her rebels, that
 this

against him. They may be thought not competent to convict him. Yet his guilt is very manifest without them. The warmest friends of Mary considered it so, at the time. Murray, that very SATAN of Scotland in his day, had now so

Grappled him to his heart with hooks of steel ;

" that about twoo monethes after," says the Bishop of Ross, " he toke his journey into France, leaving
" the EARL BOTHWEL as HIS MOST ENTIER AND
" TRUSTY FRINDE, recommending AL HIS CAUSES
" AND AFFAIRES TO HIM BEFORE AL OTHER *."

So Camden says expressly, that Murray at this departure for France, " to take away all distrust,
" COMMENDED HIS WHOLE ESTATE IN SCOTLAND
" TO THE QUEEN AND BOTHWELL'S TRUST †."

" Is it not ful wel knowen, thinke ye," the Bishop says to Murray himself in a formal and un-answered challenge from the prefs, " that YE and the Earles
" BOTHWEL, MORTON, and OTHERS, assembled at
" the castle of CRAGMILER, and OTHER PLACES,
" at DIVERS TIMES, TO CONSULT AND DEVISE
" UPON THIS MISCHIEF ?"—" We can tel you," he adds, " that there were INTERCHANGEABLE IN-

this change was a sudden one. It is also very clear, that Bothwell could never have meant to destroy her with her husband. And therefore either Herreys was deceived by his memory, or the Bishop was mistaken in his meaning, as to the day; misled probably by Murray's departure on Sunday forenoon (Detection, 20, Anderson, and 289, Jebb, i.), and by the concurring incident of the murder on Monday morning.

* Anderson, i. 67.

† Camden, 94 of the translation, and 117 of the original. Blackwood also says the same, Jebb, ii. 216.

" DENTURES

"INDENTURES made and subscribed by you," BOTHWELL and the rest, "that he, which had the best opportunity offered to make him away, SHOULD FURTHWITH TAKE IT IN HAND, AND DISPATCH HIM."—"We can tel you, and so can FIVE THOUSAND AND MORE OF THEIR OWNE HEARING; that John Hepborne, the Earle BOTHWELL's servant, being executed for his and your traiterous fact, DID OPENLY SAY AND TESTIFIE, AS HE SHOULD ANSWERE TO THE CONTRARIE BEFORE GOD, that YOU WERE PRINCIPAL AUTHORS, COUNSAILERS, AND ASSISTERS WITH HIS MASTER, OF THIS EXECRABLE MURDER; and that HIS SAID MASTER so tolde him; and farthermore, that HE HIMSELFE HAD SENE THE INDENTURES WE SPAKE OF."

And, as Mary's commissioners say in a formal paper of December 1st 1568 to the commissioners of Elizabeth, "thay themselves, that now pretend herewith," by charging the Queen, "to excuse their own treasouns, were THE FIRST INVENTARIS, WRITERS WITH THEIR OWN HANDIS, of that devilish BAND, the conspiracy of the slaughter of that innocent young gentleman Henry Stewart, lair spouse till [to] our Sovereigne, AND PRESENTIT to their WICKIT CONFEDERATE JAMES EARL BOTHWELL; as WAS MAID MANIFEST BEFORE TEN THOUSAND PEOPLE, at the execution of certain of the principall offendaris at Edinburgh*." The guilt of Bothwell here bursts on our view, with all the brightness of a large meteor flashing full upon it.

* Anderson, i. 76, and Goodall, ii. 213.

This profligate man appears to have engaged some of his own immediate servants with him, in the horrid deed. Powry, his porter, and Dalgleshe, his chamberlain * (for the nobles of Scotland then kept chamberlains as well as porters), were both concerned with him. John Hepborne, John Hay, and two Ormiston of Tiviot-dale †, were equally concerned. And so was also Paris, according to the rebel evidences. Paris had long been in Bothwell's service. But he had recently been recommended by him, to be one of the two "esquires of the Queen's chamber door," as they were then called, or "gentlemen ushers of the "privy chamber," as we should now call them. Bothwell had recommended him, in order to promote him. He is thus thought to have attached him the stronger to him. And the fellow is believed to have shewed at once his gratitude and his profligacy, by uniting with Boncle, who betrayed his master, and by acting with Bothwell, who murdered him. But all this is founded merely, on the suspectable testimony of the rebels. And it is directly contradicted, by a testimony of a much superior nature. Paris, *in his last moments*, denied all share in the murder. He was hanged at St. Andrews, says a cotemporary and very respectable authority, "for the murder of the late King, THOUGH "HE DENIED THE FACT ‡." There was, however, besides those above and besides Morton, Archibald Douglas, a clergyman, a relation and a re-

* Appendix, No x.
ford, 127.

† Goodall, i. Pref. xvii.

‡ Craw-

tainer to Morton, and his servants, John Binning, and Thomas Gairner. In 1581, on Morton being accused of the murder, Archibald, who had then been raised by Morton to the dignity of a lord of session, but who was well known to have been one of the murderers, was ordered to be seized, retired hastily out of Scotland, and escaped the punishment that was now descending upon the first projectors of the murder. Yet his servant Binning was seized. He confessed the truth. He owned, that he was actually present with his master at the blowing up of the house; that his master went to the perpetration of the crime, just as Bellenden's false confessions, *for that reason*, represent some of the conspirators to have come to it, "with *mulis* " [or slippers] upon yair feet;" that in the hurry and the darkness his master lost his slippers, which appear to have been of *velvet*; and that they were found the next morning, and known to be his*. And "we can tel you," adds the Bishop of Ross, "that John Hays of Galoway, that Powry, that Dawglish, and last of al, that Paris, al being put to death for this crime, TOKE GOD TO RECORDE, at the time of their death, that THIS MURDER was by YOUR," Murray's and Morton's, "COUN- SAYLE, INVENTION, AND DRIFT COMMITTED; who also declared, THAT THEY NEVER KNEW THE QUEENE TO BE PARTICIPANT OR WARE THERE- OF †." Yet how could these adherents of Both-

* Goodall, i. 329—330, Arnot's Criminal Trials, 10, 15, and 16, Moyse, 55; and Crawford, 365—366. † P. 76, 77. And see Crawford, 41.

well's know any thing, of Murray's or Morton's concern in the business? Murray was certainly not present at the conclusion of it. But Morton was. Both also were present, undoubtedly, at the sinking and charging of the mine. And these men were, in all probability, some of their labourers in this preparatory part of the work, as well as some of their assistants in the final completion of it.

The confessions of these men are so strong a proof of the innocence of Mary, and of the guilt of Murray, Morton, and Bothwell; that the Bishop of Ross very judiciously urges it again and again. "The testimony" (he says) "and confession of divers guyltie, as they be *reported*," the Bishop (I suppose) here alluding to Paris particularly, "and executed in Scotland for the said offence, which THEY OPENLY MADE AT THE TIME OF THEIR DEATH, doth TENDE MUCH TO THE ADVANCING AND APPROBATION OF HER INNOCENCIE*." As to "a boxe of letters," he says in another place, "taken from one Doughleysh, who was executed for the Lorde Darleye's death, the Earle's man, forsooth;—a man more then halfe blinde may perfectly see and perceave YOUR foule play, forasmuch as THE VERY SELFE SAID DOUGHLEISH, whom, among other, ye executed and *ridde out of the way*, HATH SAID, AND SUFFICIENTLY DECLARED, FOR THE QUENE'S INNOCENCIE†." But "as for him that YE surmise was the bearer of them," he adds concerning PARIS

* P. 9.

† P. 16, and 22—23.

and the letters, "and whome you have executed
 "of late for the said murther, HE, at the time of
 "his said execution, TOOKE IT UPON HIS DEATHE,
 "AS HE SHOULD ANSWERE BEFORE GOD, that HE
 "NEVER CARRIED ANY SUCH LETTERS, nor that
 "THE QUEEN WAS PARTICIPANT NOR OF COUN-
 "SAYLE in the cause*." And, as he comprehen-
 sively subjoins afterwards, "Wel, we can farther
 "tel you of the greate goodnes of God, and of the
 "mightie force of the trueth, whereby, though YE
 "HAVE WONDERFULLY TURMOILED AND TOSSED,
 "though YE HAVE RACKED and PUT TO DEATH as-
 "wel INNOCENTS," (meaning William Blackader,
 James Edmonstone, John Blackader, Mynart
 Frazer, and Paris, of whom the first and the last
 certainly, and most probably all, denied any share
 in the murder †; "as GUILTIE, YOUR OWN confe-
 "derats," Hepborn, Hay, Powry, and Dalgleshe;
 "AND OFFRED MANY OF THEM THEIR PARDONS, so
 "THEY WOULD DEPOSE ANY THING AGAINST THE
 "QUEENE: God hath so wrought, that, as FOR NO
 "TORMENTS NOR FAYER PROMISES they COULD BE
 "BROUGHT FALSLY TO DEFAME THEIR MAS-
 "TRESSE; so without any torments at al THEY
 "HAVE VOLUNTARILY PURGED HER, and so layed
 "the burden upon YOUR necks and shoulders, that
 "YE SHAL NEVER BE ABLE TO SHAKE IT OF ‡." Nor does this grand fact rest entirely upon the
 Bishop's testimony. That indeed would be suffi-

* P. 19.

† Keith, 406—407, Goodall, i. 393—394, and Crawford, 41, and 127.

‡ P. 77. And see Jebb, i. 414, and Crawford 41.

cient of itself. But it is corroborated, and in the whole too, by the concurrent attestation of a number of nobles, who equally lived at the very time, and almost all of whom have put their signatures in form to their evidence. "It may be inferrit," say the Archbishop of St. Andrews, the Earl of Eglington, the Lords Fleming, Glenluce, Sanquhar, and Rossie, the Earls of Argyle and Cassils, the Lords Maxwell, Oliphant, and Drummond, the Earls of Huntly, Crawford, and Errol, the Lords Ogilvy, Somerville, and Yester, the Bishop of Ross himself, and the Lords Livingston, Boyd, HERRIS, and Kilwynnling; "that thay," Murray and his partners in the accusation of the Queen for the murder, "wer
 "THE DOARIS THAROF ONLIE, AS WAS DEPONIT
 "BE THAME QUHA SUFFERIT DEID," death,
 "THAIRFORT; quha DECLARIT AT ALL TIMES
 "THE QUENE OUR SOVERANE TO BE INNOCENT
 "THAIROF:"—and that "hir adversaris, usurparis
 "of hir, auctoritie, OFFERIT REMISSIOUN TO SIN-
 "DRIE THAT ARE CONVICT FOR THAT CRIME BE
 "THAME, gif thay wald say that *hir Grace was*
 "*guiltie thairof*; bot offeris [but these offered] to
 "prove THE SEDUCERIS CULPABILL THAIROF, in
 "quhatsumever manner thay pleis *." And Camden adds the weighty sanction of his authority to all, "Murray," he says, "put to death John Hep-
 "born, Paris a Frenchman, Daglish, and other ser-
 "vants of Bothwell's, which were present at the
 "murdering of the King." Camden makes a

* Goodall, ii. 359, and 361.

slight mistake here concerning Paris, who was not a
 servant to Bothwell at the time of the murder, and
 who was not concerned in the commission of it.
 "But," as Camden adds, "thay (which he full
 "little expected) *protested at the gallows before God*
 "and his angels, that they understood from Both-
 "well, that MURRAY and MORTON were the AU-
 "THOURS OF THE KING'S DEATH. The QUEEN
 "they CLEARED FROM ALL SUSPICION: as BOTH-
 "WELL also himself, being prisoner in Denmark,
 "MANY TIMES witnessed, both LIVING and DYING,
 "with a religious asseveration; that the QUEEN was
 "NOT privy thereunto*."—"It was confidently
 "reported at *this* time," as a cotemporary writer
 subjoins to the whole, "by *very good men*, and *many*
 "people of *reputation and honour*, that *during his*
 "*imprisonment* in Denmark, and *at his death*, he
 "often solemnly protested, that the QUEEN was
 "WHOLLY INNOCENT OF THE MURDER OF HER
 "HUSBAND." And, as this author concludes with a
 very significant and useful notice, "her persecutor
 "the Earl of MORTONE, when he came to the scaf-
 "fold, was FORCED BY A REMORSE OF CONSCI-
 "ENCE TO DO HER THE SAME JUSTICE, and confirm
 "the words of his dying adversary †."

These confessions, made (most of them) so openly
 to the attending multitudes, reported (all of them)
 so openly to us at and near the moment, authenti-
 cated by such formal and dignified attestations, and
 ascending upwards through such a scale of witnesses

* Annals, Transf. 97, Orig. 121.

† Crawford, 54—55.

to such a couple of leaders, carry a wonderful weight with them. They were made by men, who were all but one actors in the deed of murder. They were made by men, who were attached to Bothwell particularly. They were made by men, who were all but one associates in the villainy with Murray, Morton, and Bothwell. They were made even by Bothwell himself. And they were even made by Morton himself. They were made by all, when they were awfully standing on the very shore and beach of time, when they were awfully throwing their eyes across the narrow ocean of death before them, and when they were penitentially preparing for their reception in the regions of eternity beyond. They thus form an energy of evidence, even superior (I think), if possible, to all the constructive testimonies of history before. They certainly speak to the understanding, in conjunction with these, in a voice of power, and with a tone of thunder. And the innocence of Mary, and the guilt of Murray, Morton, and Bothwell, now stand upon a basis as firm as the pillars of the earth, and now appear to the eye as conspicuous as the arch of heaven*.

* In opposition to all this, we have not a particle of *authenticated* evidence, but a deposition of Crawford's "concerning" "certain answers made to him by—John Hepburne, and John Haye, upon the scaffold in Edinburgh, instantly before their "execution" (Goodall, ii. 257—258). This deposition is now lost. We may *presume* it however, as produced by the rebels, to have been favourable to them. But we have seen them produce *another* deposition of Crawford's, which on examination has proved unfavourable to them. And, so circumstanced, this cannot have the weight of a feather upon the scale.

But

But who else were concerned with Morton and Bothwell in springing the mine? They had certainly others. Those indeed were more than sufficient for the purpose. Yet, as Throgmorton informs us on the 18th of July 1567, "the Earl Bothwell's porter," Powrie, "and one of his other servants of his chamber," Dalgleshe, "being apprehended, have confessed such sundry circumstances, as it *appeareth evidently*, that he, the said Earl, was ONE of the PRINCIPAL executors of the murder, IN HIS OWN PERSON, accompanied with sundry others; of which number I cannot yet certainly learn the names, but of three of them, that is to say, two of the Ormiston's of Tividale, and one Hepburn of Bolton*." Bothwell, therefore, was one of the principal executors of the murder. Morton, we know, was another. Who were the rest? The two Ormiston's and Hepborne. But there were others also, it seems. Three of these we know to have been Archibald Douglas, John Binning, and Thomas Gairner. Others were very probably Mr. David Chambers, and Mr. John Spence, the former of whom was a servant of Bothwell's, and the latter one of the Queen's two advocates; both of whom were expressly named as committers of the murder, in the papers affixed to the door of the tolbooth, &c. and the latter was even mentioned as "principal deviser" of it†. Indeed the presence of these or of the earls, the presence of Bothwell's servants, or the presence of

* Goodall, i. Pref. xvii, and Robertson, ii. 377. † Anderson, ii. 7, 97, and 156.—John Spence also became a rebel with them afterwards (Keith, 452, and Goodall, ii. 370).

Douglas and his servants, were no otherwise requisite, than to see that the deed was thoroughly done, and to pledge their salvations for a share in it. Boncle alone might have sufficed, for laying the train, and setting fire to it. And the desperate resolution of these wretches, their determinedness to give a decisive efficacy to their measures, is very apparent in the force of their mine, and in the violence of its explosion. The whole building was heaved from its very foundations, by the expanding power below. All the parts of it were then burst asunder, torn to atoms, or carried to a considerable distance. Not one stone remained upon another. The very ground and corner stones were either dislodged by the blast, or reduced to rubbish by their resistance. The King, and the servant who slept in his chamber, as lying in one of the upper rooms of the house, were not torn to pieces by the powder; but carried over the wall of the town, and lodged in an adjoining garden. When the house was heaved off from its foundations, it would instantly descend in ruins upon the heads of its inhabitants. It did so upon two men in the room opposite the King's, or in the great gallery contiguous to the room; and also upon one of the men and a boy in the little gallery: and killed them all. Yet both the King, and his immediate attendant, astonishingly escaped this seemingly unavoidable part of the destruction. The raised house was settling back in fragments into its former station. But the powerful and confined principle within, now gaining a vent by the separation

ration of the parts; it burst out on every side, and swept all before it. The King and the servant were whirled away, with the materials of the house. Even so, they astonishingly escaped any personal injury from them. They were both found in a garden, at some distance on the outside of the city wall, without the slightest contusion upon them. Had they fallen upon water, they would probably not have been killed. Even one of the servants who slept in the little gallery, by having the end wall of the house betwixt the King's chamber and the gallery, by lying also himself closer to the city-wall, perhaps, than the others in the gallery, and so missing the principal shock of the storm at its eruption; was able to disengage himself from the sligher ruins, that killed the others, but only covered him; to stand upon a broken part of the wall, till the people came running to his help; and to escape unwounded from the whole. And both these incidents are the more extraordinary, as some stones of the building, even ten feet in length and four in breadth, were thrown by the violence of the explosion into gardens at a great distance*.

* Keith, Pref. viii, Goodall, ii, 241, and 245, Melvill, 78, Anderson, i. 36, Crawford, 13—14, Hume, v. 109, and an engraving of Vertue's from a painting at the time. This painting takes up the current tale of the day, that the King was strangled instead of blown up. See Crawford, 13, Melvill, 78, &c. And it then adds, "*post cædem in horto reperiuntur prostrati.*"—But let us ascertain the exact scene of all this villainy.

The house at Kirk-a-field is described in a record of the time, as "*sumtyme callit the laging of the pravest of Kirk-field be syde the samen,*" as belonging lately to the collegiate church
of

of St. Mary, and as standing near it (Keith, 409, and 364). But it undoubtedly belonged to him, and to his clerical associates, together. He was the superior of ten prebendaries (Arnot's Edinb. 243). The house, which could receive a king, would be too large for a provost alone; especially, in the state of celibacy, then imposed upon ecclesiastics every where; and in the confinedness of lodging, then prevailing peculiarly among the Scotch. And, if this had been appropriated to the provost, there must have been, what there was not (Detection, 67, Anderson, and 260, Jebb), another house adjoining for the prebendaries. It is therefore denominated expressly by Buchanan, "ane hous quhilum of auld preistis" (67, and 260). In this then, and in a collegiate society within it, lived before the late reformation the provost and his ten prebendaries, the united ministers of the neighbouring church of St. Mary. The church and its house were *without* the walls of the city, when they were first erected. The church therefore, like our own St. Martin's in London, very naturally took the distinguishing appellation of KIRK-A-FIELD, or St. Mary's in the fields. And it retained the appellation as naturally as that does, when it was afterwards inclosed within the city. The *new* direction, which was given to the wall in order to inclose it, is apparent to this day. The *Potter-row Port* was originally denominated the KIRK-OF-FIELD PORT, from its vicinity to the church (Arnot's Edinb. 237—238). "The wall runs east," says Mr. Arnot, "till it is intersected by the Potter-row Port, FROM WHICH it goes south for a few yards, then TURNING ABRUPTLY winds its course on the south side of the college, the royal infirmary and high school yards, till it comes to the Pleasance. Then it takes a northern direction" (Ibid. 236). This shews at once the general position of the church, and the particular extension of the walls to take it in. The church appears from the name of Kirk-a-field Port, to have stood upon the site of the college; and the house of its clergy must have stood at no great distance from it.

Yet what was the peculiar ground of it? Mr. Goodall, i. 323—324, places it "hard by where the royal infirmary now stands." Dr. Robertson, i. 399, with more appearance of precision, says, "it stood almost upon the same spot where the
"house

"house belonging to the principal of the university," and inhabited by the Doctor himself, "now stands." It seems very extraordinary, that such a house, and so recent an one, should be settled at two such different points of ground. But let us see Buchanan's topography for it. "Hard by," he says, "yair wer the rowmis of twa kirkis: on the eist syde, ane monasterie of Dominike freiris: on the west, ane kirk of our Lady, quhilk-is callit *ye kirk in the field*: on the south-syde, the *towne-wall*, and in the same, for commodious passage every way, is ane *pofterne-dure*: on the north-syde, are ane few beggaris cotages," which in another place he calls "ane few almous-housis for pure beggaris," and which were assuredly the *almonry* of the clerical house, the place at which the alms of broken meat from it were distributed to the poor. "THAIR IS NEVER ANE UTHIR HOUS NEIR, bot THE HAMMILTOUNIS HOUSE, quhilks is about ane stanis cast distant" (Anderson, ii. 67, and 18; Jebb, i. 260, and 243). This gives us such plain marks for settling the site, that one should naturally suppose it impossible to be missed. On the west was the church, on the east the convent, and the house between them; having the town-wall close to it on the south, and Hamilton-house at some distance from it to the north. But these marks are all vanished, it seems. The examining and thinking Mr. Arnot notices them not. The convent is fled. The church is levelled. And we seem to have no ground to stand upon.

Yet we can still trace the site. The Dominican convent was called BLACK FRIERS. The BLACK FRIERS WYND therefore was the street leading down to it. This was also the usual avenue of access, from the eastern parts of Edinburgh to Black Friars and to Kirk-a-field. "As yay came up the Black Frier Wind," some of the murderers are made to say concerning their return, from Black Friars Yard and the back of Kirk-a-field towards Holyrood-house, "the Quene's Grace was gangand before yame" from Kirk-a-field "with licht torches" (Anderson, ii. 167). This shews the convent to have stood on the ground facing to, and to the south-east of, the bottom of Black Friars Wynd, on the site of Lady Yester's Chapel, the high school, the surgeon's hall, and the royal infirmary.

infirmary. The buildings occupied only a small part of this space. The walks and gardens spread over the rest. And Kirk-a-field-house, therefore, stood somewhere on the ground between the college and the surgeon's hall, wherever it was in this interval, at the infirmary, or on one side of it, that the site of Black Friars ended, and the line of Kirk-a-field began, brushing up close to the town-wall at one end, facing its own church on the west, and having its garden running behind to the east. A part of Hamilton-house, I believe, is still remaining in COLLEGE-WYND. There, is a room of an ancient building, which, from the inscription over the arched door, was plainly a chapel, but is now converted into a brewery. The inscription is in Gothic characters, *Ave Maria, gratia plena, Dominus tecum* (Arnot, 244). This building is supposed to be a relic of the convent. But it cannot be. The convent was all to the east of Kirk-a-field-house. Nor had the latter any building so near it on the north, except Hamilton-house. And this is therefore a part of it.

But we may come much nearer to the site yet. One single circumstance will lead us to it. There was a passage, we must remember, through the cellar of the house and the wall of the town, into the fields. "On the south-syde," says Buchanan before, was "the TOWNE-WALL, and in the same, for common modious passage every way, is ANE POSTERNE-DURE." Thomas Nelson also speaks of "that door, quhilk passed through the SELLAR and the TOWN-WALL" (Goodall, ii. 244). Now this should be naturally our mark. The town-wall is still standing in its original state. And, upon a strict examination of it, it will present the traces of this postern-door to the eye, and so point out the very position of the house at once.

I accordingly stated these arguments in a letter to Mr. Arnot, and requested him to examine the wall in this interval for me. He did so. And he found the postern-door, as I expected. The appearance of it is very plain. It is not at the college, as Dr. Robertson fixed the house. It is near to the infirmary, as Mr. Goodall thought the house to be. The marks of the closed opening in the wall, are south of the infirmary, but about sixteen or seventeen feet to the west of the square tower, or cupola, in the center of it. The jambs and lentill of the door still remain.

The

The upper part of the door-way, however, forms an arch, though a very flat one. The width of the whole is only about three feet. And the height is only two above the paved foot-road, which now runs along the southern foot of the wall.

Here then stood the very house, in which Darnly was murdered. Here too was the very opening, through which the murderous wretches went in to dig the mine, lay the train, and set fire to both. This was the memorable scene of that superlatively enormous villainy. Every mind that has the general sensibilities of curiosity about it, and feels them drawn to a point by the interest which it takes in the history of Mary, naturally wishes to ascertain the ground of such an astonishing transaction. And I feel a pleasure, in having been able to gratify myself and my reader by doing it.

§ VII.

Such, in its principles and in its circumstances, was this horrible burst of human inventiveness and human malignity! Well might the privy counsellors of Mary “wonder at the strangeness of the “mater, sic as never was hard of, and incredibill *.” Well might the Queen cry out, in her letter of the very next day, “the mater is horrible and sa strange, “as we believe the like was never hard of in ony “country †.” A plot so diabolical, indeed, had never been heard of before in any of the regions of Christendom. But it was soon heard of again in England. The same plot, with a more diabolical comprehensiveness of design, but happily with less success in the issue, was formed about eight-and-thirty years afterwards. The Scotch was plainly the parent, and the English the child.

Improbis ille puer, crudelis tu quoque mater.

And Britain has had the misfortune to receive from her dissenters in religion, from her fanatical presbyterians upon one side, and her equally fanatical papists on the other, such a *double* stain of infamy on her character; as no other country of christianity has ever received even *singly*, and such as will remain upon her in the records of time for ever.

From that accursed deed of darkness in Scotland, were derived all the complicated miseries of

* Anderson, ii. 24.

† Keith, Pref. viii.

Mary's

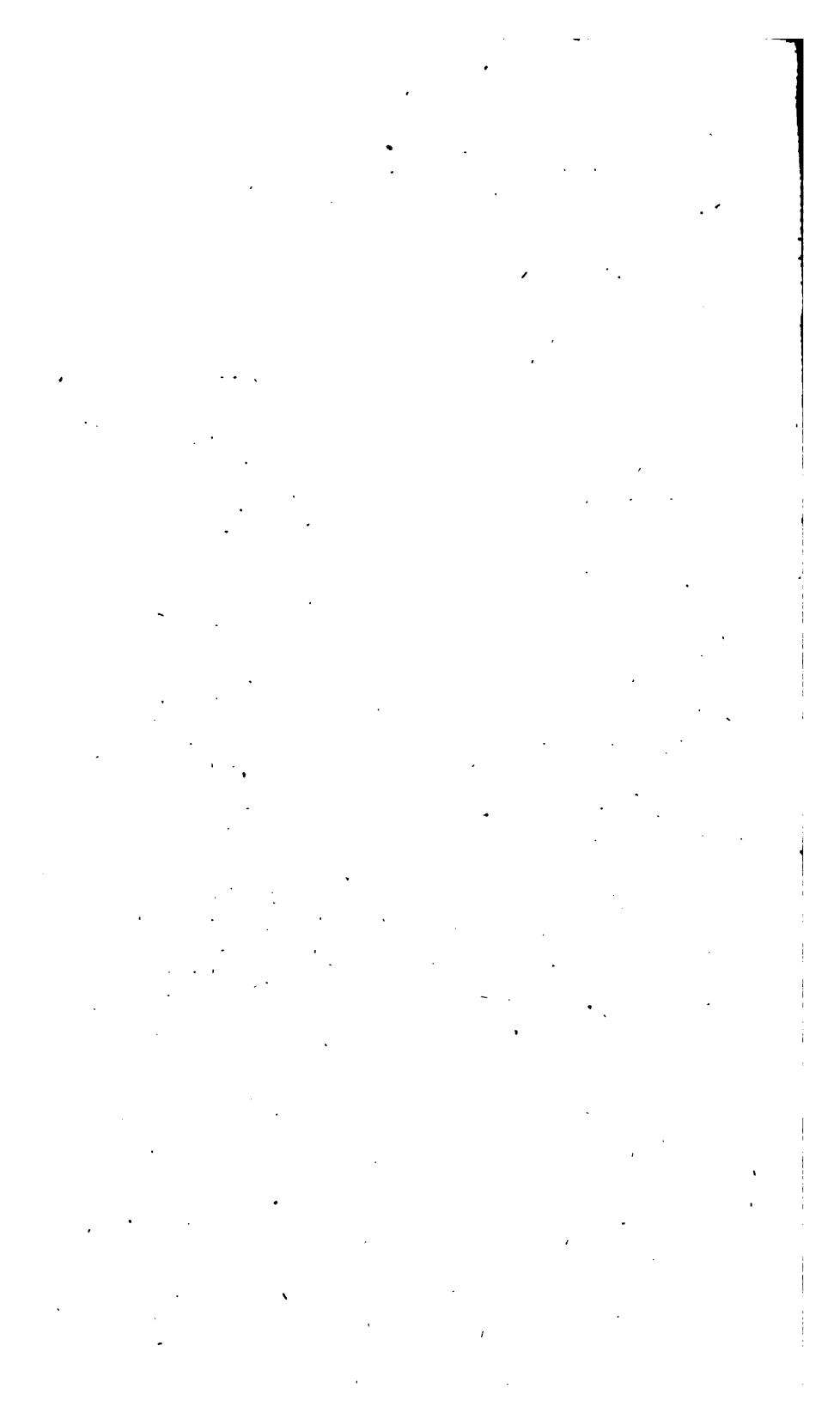
Mary's future life. The principal perpetrators of it, Murray, Morton, and Lethington, instantly endeavoured by every secret artifice, to blast the reputation of Mary for it, to exhibit her as an adulteress and as a murderer to the public, and to trumpet her disgrace in the island and on the continent. They then took advantage of their own impudence of calumnation. They raised a rebellion against her. They stripped her of her crown. And they threw her into prison. They had thus disabled her completely from defending her honour. They therefore began to batter upon it in form, with some hellish engines of their own forgery. And they pretended to convict her in form of a fact, of which they knew *themselves* to be guilty. So high did the impiety of sanctified knavery ascend in Scotland ! But it ascended still higher in England. There, Elizabeth broke *at once* through all the ties, that *villainy generally respects, even in its lowest stage of profligacy*, plighted faith and confiding generosity. She did even more. She inveigled Mary by pressing assurances of friendship, into a conference with her rebels. She then turned it into A JUDICIAL TRIAL. She turned it into a judicial trial of MARY HERSELF. She secretly pushed forward the most horrible accusations against her. She openly patronized them. She supported them in their lameness. She invigorated them in their weakness. And at length she *completed* her course of malignity against her *character*, by publishing the known forgeries as genuine writings ; and so opening a new source of calumny against her, which

has continued to burst forth with violence ever since, and had lately spread its poisoned waters from one corner of the kingdom to the other.

Yet let it be finally remembered, as some alleviation of censure, that neither Elizabeth nor Murray meant all this. They meant merely to serve a temporary purpose. They principally and ultimately wanted, to *compel* her into a *voluntary* resignation of her crown. This was the utmost projection of their guilt in *design*, though in *reality* it was carried so much farther. What carried it so far; and loaded the souls of both with an addition of criminality, which they never had in contemplation; has been the wild credulity of the times succeeding. These saw not their drift, while they beheld their practice. These imagined the joint accusers of Mary to be *serious* in their charges, when they intended only to *frighten* by the sound of them. And thus, what was merely a political device for the moment, has been turned by factious folly, into an instrument of mischief for many generations.*

It is painful to a generous mind, to see such arts sustained by such credulity, and both triumphing so long over the fame of Mary. But so it will often be in a world like this. "This world was made for Cæsar." The Elizabeths and the Murrays, the children of artifice and of violence, will generally be the heroes and the heroines of the mass of mankind. And the honest, the generous, and the confiding, will be dupes to the villainy of those, and victims to the simplicity of these. But a pe-
riod

riod *may* come, SUCH AS HAS COME IN THIS VERY BUSINESS, when facts will be weighed against assertions, when characters will be ascertained by the standard of history, and when the villain will be exposed and the worthy be vindicated. Yet, should it *not* come, we may wait in holy hope for that hour of universal judgment, which the sufferings of Mary have repeatedly pressed upon my mind. Then artifice can no longer fabricate calumnies, and credulity can no longer continue them. Then the Maries, the Murrays, and the Elizabeths, will pass once more in review before us; but in a manner infinitely surpassing all human trials. The examination will be made by HIM, who cannot be baffled in his sagacity. The sentence will be pronounced by HIM, who cannot be mistaken in his judgment. And the honour of Mary, I am convinced, will then be asserted with a particularity of notice and in a tone of decisiveness, in some measure proportioned to her unparalleled sufferings; to the dreadful inflictions, which she underwent from the oppressions of her persecutors in her person; to the more dreadful stabs, which she received from the knives of her assassins in her reputation; and to the still more dreadful wounds, which, from the easy affiance of the world on slanders, have been rankling and festering there, through the long period of two ages since.



CONCLUSION TO THE WHOLE.

HAVING now attended the sonnets, contracts, and letters, through all their discernible varieties of fortune ; let us just perform the last offices to them, and see them quietly interred in the grave of time.

On their flight from London in January 1569, they and their containing coffer accompanied Murray into Scotland. In his custody they still continued. By his formal receipt in privy council indeed, upon the 16th of September before, he “ *upoun his honour faythfullie promittis*, that the “ *saidd haill letteris and writtingis sal be alwayis* “ *readie and furthcumand to the—Erle of Morton*,” who pretended to take them from Dalgleish, &c.* But, though he promised, he did not perform. Yet let him not be charged with any violation of his honour. “ A certain knight,” says the clown in Shakespeare, “ *swore by his honour they were good* “ *pancakes, and swore by his honour the mustard* “ *was naught : now, I’ll stand to it, the pancakes*

* Appendix, N° iv.

"were naught, and the mustard was good, and yet
"was not the knight forsworn:—if you swear by that
"that is not, you are not forsworn; no more was
"this knight, swearing by his honour, FOR HE
"NEVER HAD ANY, OR, IF HE HAD, HE HAD
"SWORN IT AWAY, BEFORE EVER HE SAW THOSE
"PANCAKES OR THAT MUSTARD." Murray kept
the box and its contents in his own possession, during
the rest of his life. And at the sudden and horrible
termination of his life, in January 1570, they passed
away into the hands of his servants. By the negli-
gence of the man who knew them so well, and who
had made so good a use of them, they were left to the
care of mere servants. Under that care they con-
tinued for several months. Morton and Lethington
seem not to have taken the slightest concern about
them. They knew them as well as Murray. They
therefore neglected them as he did. But Lenox,
who returned not into Scotland till the May fol-
lowing, and was unacquainted with the forgery of
them, very naturally considered them in another
light. Armed with the power of the kingdom, un-
der the title first of a lieutenant, and then of a re-
gent; he wrested them out of the mean hands, in
which they had been left so long. He even ordered
them to be formally copied. He authenticated his
copies by his own subscriptions, and the subscrip-
tions of his privy counsellors. And he retained
these in his own possession, while the originals tra-
velled up to London *. There another con-

* Appendix, N° iv.

ference was appointed by Elizabeth, for settling the affairs of Mary and her kingdom. It was only one of the many engines of hypocrisy, which, at any sudden emergency in her politics, she directed against the unhappy Queen. Morton was appointed one of the rebel commissioners for this mock-conference. And he was to take the important casket with him, and, if there should be any occasion, to use the papers in it against Mary. He accordingly gave a formal receipt for them in privy council, as Murray had done before. On Jan. 22, 1571, he "promisist and obleist him," says the privy council, "to bring agane and deliver the said box and principal letteris to the said Lord Regent, at his returning from this present legatioun*." Thus equipped, he set forth. Thus equipped, he returned too. He returned soon. But he restored not the papers to Lenox. He acted just as Murray had acted before. He kept them in his own possession. He kept them, even though he was not regent as Murray was, and even though he had bound himself to restore them to Lenox, "at his returning from his present legatioun." And he attended still less than Murray, to the perpetual preservation of them.

By this conduct, first adopted by Murray and then copied by Morton, the papers were taken out of that public custody, in which they would most probably have been safe to the present day; and committed to that private, broken, and fortuitous

* Appendix, N^o iv.

guardianship, in which they were pretty sure to persist at last. Neither Morton nor Murray, who knew them best, chose to deposit them among the public records, and so submit them to public inspection. They thought it best to retain them in their own tuition. And they acted wisely in so doing. When the Egyptians constructed a magnificent temple to a monkey, had they been prudent enough to forbid the entrance of the profane into it, the baboon might have passed for a god. The papers accordingly remained in Morton's possession, to the day of his death, June 2d, 1581. They were then conveyed privately and clandestinely, by the bastard sons of Morton*, to one of the original conspirators with him against Mary; even to that Lord Ruthven, now Earl of Gowrie, who was heir to the principal assassin of Rizzio, and who was actually concerned himself in carrying the Queen to Lochleven. They were considered as the sacred palladium of rebellion; as the holy image, which was only to be seen by the priests of anarchy, and on the keeping of which, from the general eye, depended the fate of the whole empire of mis-rule. For this reason, Gowrie was unwilling to own that he had them. He was still more unwilling to part with them. He was urged by Elizabeth's ambassador. He was solicited by James's prime minister. The minister had a curiosity to see them. The Queen wanted to turn them again upon Mary. And Gowrie would not part with them to either †.

* Crawford, 371, and Moyse, 51.
42—46.

† Robertson's Diss.

• At this period of their history, King James knew of their existence, and of the hands in which they existed. Yet he never offered to force them away*. He left them to continue there unmolested. But they did not continue long so. That busy period of plots would not suffer them. In 1584 Gowrie received the punishment from James, which he had long merited from Mary. And the papers seem to have been then transferred to a man, who was worthy to be entrusted with the charge, who was nephew to Morton, and who had been recently a conspirator and a rebel with Gowrie; the Earl of Angus †.

But the necessary season of concealment must now have been nearly elapsed. All the great actors upon the scene had successively disappeared from it, and had gone to lodge in the bosom of eternity for that revial of their actions, which OMNISCIENCE will execute, and OMNIPOTENCE will ratify, in the sight of all the world. The interests of survivors were less engaged, in the spuriousness or the authenticity of the papers. And the care which had incidentally preserved them hitherto, by taking pains to conceal them from the public, would now be relaxed, as the reason was removed. Accordingly, they appear to have been no longer transmitted from one hand to another; and, when the assassin or the executioner had cut short the life of their present proprietor, to have instantly migrated with the soul of rebellion, to some other child of election. At the death of Angus, they rested peaceably with the

* Robertson's Diss. 46.

† Goodall, i. 35—36.

Douglases. The transferrible feud now settled into an inheritance. And the wandering palladium of Troy became stationary, in the forum of Rome. "I find," says Mr. Goodall, "an anonymous historian, *who wrote about the restoration of King Charles II, affirming, that the box and letters were at that time to be seen with the Marquis of Douglas*.*"

Yet where are they at present? Hic labor, hoc opus est. In the recent days of Mr. Goodall, they were supposed by some to be still in the family of Douglas. But they were reported by others to have been seen at the Duke of Hamilton's †. The Hamiltons had then, by the termination of their line in an heiress, become Douglases. Yet the contradictoriness of the report and the suppositions, shews the uncertainty of both. And the non-appearance of them since evinces both to be false. A contest has been since maintained concerning them, with peculiar vivacity and vigour. The whole nation has stood by, attentive to the issue. The house of Hamilton and the family of Douglas have interested themselves, no doubt, equally with all the reading and historical part of the nation; and must have produced the papers, if they had them in their own possession. No longer employed in the turbulence of war, the Douglases and the Hamiltons have leisure to superintend the contests of literature, to consider them as equally important now with an inroad or an insurrection formerly, and to be as

* Goodall, i. 361

† Ibid. ibid.

ready, as ever to mingle in the fray. Indeed the papers are too singular in their nature, and too distinguished in their history, not to be known wherever they are found. And the casket, in which they were originally repositied, and with which, in all probability, they have always travelled; being "ane small gylt coffer, not fully ane fute lang," and "being garnischit in findrie places with the Romane letter F under ane Kingis crowne*," is an object impossible to lie unnoticed in any library.

They *may*, however, have been separated from their original vehicle. They *may* also be kept concealed by that spirit of party, which originally withheld them in England and in Scotland from the eye of examination, and of which the ghost is seen to haunt us still at times. But we need not be anxious for their appearance. Their fate has been already pronounced. They are proved to be forgeries, by all the possible modes of trying them. The INTERNAL, the EXTERNAL evidence; their variations in SUBSTANCE, their variations in FORM, their variations in WORDS, and their variations even in LANGUAGE; the history of the REBEL CONDUCT, the history of ELIZABETH'S PROCEEDINGS, at the conferences in England concerning them; their CONTRADICTIONS TO FACTS, their REPUGNANCES TO COMMON-SENSE, their INCONSISTENCES WITH ALL CHRONOLOGY, and their violent OPPOSITIONS TO THEMSELVES AND TO EACH OTHER; all shew them to be forgeries, with an accumulative weight

* Anderfon, ii. 92.

of testimony. And, in this state of the papers, what purpose could the appearance of the originals serve? Mr. Hume indeed, and Dr. Robertson, but the latter more faintly than the former, have been weak enough to insinuate, that they were destroyed by King James *: as if those, who always kept back the originals from view, were not the only persons likely to destroy them; as if, at their *first* appearance, the papers had not shamefully skulked from inspection awhile, and infamously fled away at last to avoid it; and as if they would venture to be more bold and daring, at their *second* appearance. Elizabeth probably was also weak enough to think the same, when she endeavoured to recover the fugitive pieces, that she had so readily dismissed before. And she and our two historians were influenced undubbedly to think so, from the same principle operating more or less vigorously in all; from their eagerness to strike, their inability to wound, and their promptness to catch at any void of hope, that seemed to promise a more decisive blow. But, were the originals before the public at present, they could not recall the proscription, that has gone out against them and the copies. They might aid the arguments for it; but they could not weaken them. They might add one more reason, to the many already adduced against the papers; and prove to those who were critics in the hand-writing of Mary, that they were *not* written by her. This I doubt not but they

* Hume, v. 148, and Robertson, Diss. 46.

would prove. The steady refusal of Elizabeth to let them be seen; and the repeated hints in the letters themselves, of their being badly penned; very plainly concur in shewing they would. And THE ONLY ONE of these papers, which is known to exist IN THE ORIGINAL at present, the first contract, HAS DONE SO ALREADY FOR ITSELF. But then this evidence would form a very small addition to the general testimony. From its nature, it must be confined to a few. And in the mean time the other evidences are addressed to the understandings of all, must be felt in the convictions of all, and will be acknowledged by the tongues of all.

The comet, that gleamed so formidable to the eyes of our fathers in 1682, and speedily shot back into those wilds of space from which it had come forward to their sight, was long expected to appear again. Some were even credulous enough to suppose, that it would then do what it had not done before, that it would then come much nearer to the orbit of the earth, and that it would then set fire to the world. It accordingly appeared, *as we are told*, about seven-and-twenty years ago. But how different was the real from the threatened appearance, and even how much feebler was its second aspect than its first! It was no longer a meteor,

—— that from its horrid hair
Shook pestilence and war.,

It no longer carried an awful terror with it, as it sailed with its long train of flames over the heads of the gazing nations. The mighty comet was shrunk
up

up into a petty star. The vast orb, that was to swallow up the earth in its fires, *could only be seen by a telescope*. Astronomers surveyed it with some attention. But to the rest of mankind it was *an invisible point of light*. And the generality of the world, therefore, very naturally agreed to laugh at the comet, the supposers, and the surveyors, all united together.

A P P E N D I X.

I THINK it proper to annex to the whole, the principal of those passages in the original papers, upon which I have founded the main parts of my Vindication preceding. Every work should be compleat in itself,

In seipso totus teres atque rotundus ;

if it can be made so, consistently with any attention to its size. I have therefore referred to those passages here, in the course of the work before. And I shall now subjoin notes to some of them, in order to elucidate a few points additional in the clouded history of Mary, to assert still farther the insulted interests of truth, and to maintain still more the violated rights of innocence.

Nº I.

ACT OF SECRET COUNSEL.

“ Apud Edinburgh, quarto die mensis Decembris,

“ Anno Dom. 1567.

“ was in the said Quene’s awin de-
 “ fault, in as far as, be divers hir previe lettres
 “ writtin and subscrivit with her awen hand, and
 “ sent

“sent by hir to James Erll Boithwell, cheiffe executor of the said horrible murdor, aswell before
 “the committing theirow as therafter; and be hir
 “ungodlie and dishonorable proceeding in a priveit
 “marriage with him, suddanlie and unprovisitie,
 “yarefter; it is most certaine, that she was prerie,
 “art and part, and of the actual devise and deid, of
 “the foirmencionit murther of the Kinge,” &c.*

N° II.

ACT OF MURRAY'S PARLIAMENT,
 DEC. 15—29, 1567. C. XIX.

“ wes in the said Quenis awin de-
 “fault, in sa far as, be divers hir prerie letteris
 “writin halelie with hir awin hand; and send be
 “hir to James sumtyme Erle of Bothwell, cheiff
 “executor of the said horribill murther, as weill
 “befoir the committing thair of as thairefter; and
 “be hir ungodlie and dishonourabill proceeding to
 “ane pretendit mariage with him, suddanlie and
 “unprovisitie, thairefter; it is maist certaine, that
 “scho was prerie, airt and part, of the actual de-
 “vise and deid, of the foirnamit murther of the
 “King †,” &c.

* Goodall, ii. 62—66.
 and Goodall, ii. 66—99.

† Anderson, ii. 220—224.

N^o III.

LETTER FROM QUEEN ELIZABETH TO MURRAY,
JUNE 8, 1568.

" considering the government of
" that realme is in your powre at this present, and
" that by your servant Mr. John Woodd we have
" understood your offer, to make declaration to us
" of your whole doings," &c.*

PART OF A NOTE OF WHAT MURRAY AND HIS
COUNSELLORS DELIVERED TO MR. MIDDLE-
MORE, TO BE REPORTED TO ELIZABETH, JUNE
22d, 1568.

" And for our offer, to mak her
" Majestie declaratioun of our haill doingis, anent
" that quhairwith the Quene, our Soverane Lordis
" mother, chargis us, and utheris jointit with us;
" we have alreddie sent unto our servand Mr.
" Jhone Wode, that quhilk we traift fall suffi-
" cientlie resolve hir Majestie of ony thing scho
" standis doubtful unto: and zit gif hir Hienes
" will that we send other for mair special informa-
" tioun of the cais, we fall glaidlie follow hir ple-
" soure, with als grite haift as possiblie we can.

* Anderson, iv. 68—70, and Goodall, ii. 73—74, from
Cotton Library, Caligula, c. i. folio 88.

" Bot becaufe we perfave the trial, quhilk the
 " Quenis Majestie is myndit to have taken, is to
 " be usit with grit ceremonye and solemniteis, we
 " wald be maist laith to enter in accusatioun of the
 " Quene, moder of the King our Soverane, and
 " syne to enter in qualificatioun with hir; for all
 " men may judge how dangerous and prejudicial
 " that suld be. Always, in cais the Quenis Ma-
 " jestie will have the accusatioun directlie to pro-
 " ceid, it wer maist reffonabill we understude quhat
 " we suld luke to follow thairupon, in cais we
 " preive all that we allege; utherwayis we sal be
 " als incertane efter the caus concludit, as we ar
 " presentlie. And thairfoir we pray zow reguyre
 " hir Hienes, in this point to resolve us; at leift
 " that my lordis of the counsal will assure us, quhat
 " we fall lippin unto [depend upon].

" Farther, it may be, that sic letteris as we haif
 " of the Quene, our Soverane Lordis moder,
 " that sufficientlie, in our opinioun, preivis hir
 " consenting to the murthure of the King hir
 " lauchful husband, fall be callit in doubt be the
 " juges to be constitute for examinatioun and trial
 " of the caus, quibether thay may stand or fall, pruis
 " or not. Thairfoir sen our servand Mr. Jhone
 " Wode hes the copies of the samin letteris trans-
 " latit in our language, we wald earnestlie desyre,
 " that the saidis copies may be considerit be the
 " juges that fall haif the examinatioun and com-
 " missioun of the matter; that thay may resolve us
 " this far, in cais the principal agrie with the copie,
 " that then we pruis the caus indeed: for quhen we
 " haif

“ haif manifestit and schawin all, and zit fall haif na
 “ assurance that it we send fall satisfie for proba-
 “ tioun, for quhat purpois fall we ather accuse, or
 “ tak care how to pruiſ, quhen we ar not assurit
 “ quhat to pruiſ, or, quhen we have preivit, quhat
 “ fall ſucced * ?”

N^o IV.

AN ACT OF PRIVY COUNCIL, CONCERNING MUR-
 RAY'S RECEIT OF THE BOX AND LETTERS, &c.

“ Apud Edinburg, 16 Sept. Anno Dom. 1568.

“ THE quhilk day, the nobill and potent Prince
 “ James Erll of Murray, Lord Abirnethie, Regent
 “ to our Soverahe Lord, his realme and liegis,
 “ grantit and confessit him to have reſſavit fra
 “ James Erll of Mortoun Lord of Dalkeyth, Chan-
 “ celar of Scotland, ane ſilver box owergilt with
 “ gold, with all miſſive letteris, contraictis or obli-
 “ gatiounis for marriage, ſonets or luif-ballettis,
 “ and utheris lettres contenit yairin, ſend and paſt
 “ betwix ye Quene, our Soverane Lordis moder,
 “ and James ſumtyme Erll Bothvile; quhilk box,
 “ and haill pecis within the ſamyn, wer takin and
 “ fund with umquhile George Dalgleiſche, ſervand
 “ to ye ſaid Erll Bothvile, upoun the xx day of

* Goodall, ii. 75—76, from the paper-office, London.

“ Junii, ye zeir of God 1567 zeirs. And yairfoir
 “ the said Lord Regent for himself, and takand
 “ the burding upon him for ye remanent nobillmen,
 “ and utheris professing ye quarrel, and obedience
 “ of oure said Soveranē Lord; exoneris, quit-
 “ claimis, and dischargeis ye said Erll of Mortoun
 “ of the said box, and of all ye saidis missive wri-
 “ tingis, contractis, obligationis, sonetis, luif-bal-
 “ lettis, and utheris lettres quhatsumevir fund and
 “ contenit yairin ye tyme of his recept and intro-
 “ missioun yairwith; testifieing and declaring, yat
 “ he hes trewlie and honestlie observit and kepit
 “ the said box, and hail writtis and pecis forsaids
 “ within ye same, without ony alteratioun, aug-
 “ mentatioun, or diminutioun yairof in ony part or
 “ portioun. And also ye said Lord Regent, upoun
 “ his honour, saythfullie promittis, that the said
 “ hail lettres and writingis, sall be alwayis readie
 “ and furthcumand to ye said Erll of Mortoun,
 “ and remanent nobillmen yat enterit in the quer-
 “ rel of revengeing of ye King our Soverane
 “ Lordis faderis murthor; quhensoevir yai sal haif
 “ to do yairwith, for manifesting of the ground
 “ and equitie of yair proceedingis, to all quhome it
 “ effeiris [concerns] *.”

* Anderson, ii. 257, and Goodall, ii. 90, from the records
 of privy council.

AN ACT OF PRIVY COUNCIL, CONCERNING MORTON'S RECEIT OF THE BOX AND LETTERS, &c.

“ Apud Edinb. xxii. Januarii, 1570—1.

“ THE quhilk day, in presence of the richt hon-
 “ norabil Matthew Erle of Levinox, Lord Darnlie,
 “ guidschir [grandfire], lauchful tutor and regent,
 “ to our Soverane Lord, his realine and lioges,
 “ and Lordis of Secreit Counsal; James Erle of
 “ Mortoun, Lord of Dalkeyth, Chancellor and
 “ Greit Admiral of Scotland, being in reddiness to
 “ pass to the Quenis Majesty of England, as ane of
 “ our Soverane Lordis Commissionaris, for divers
 “ grypt and wechtie materis, concerning his Hienès
 “ and his estait; grantit and confessit him to have
 “ reffayit fra the said Lord Regent an silver box,
 “ overgilt with gold, with the missive letteris, con-
 “ tractis or obligatiounis for marriage, sonettis or
 “ luif-ballettis, and utheris letteris thairin contenit,
 “ to the number of xxi, send and past betwix
 “ the Quene, our said Soverane Lordis moder,
 “ and James sumtime Erle Bothville: quhilk box,
 “ and haill pecis within the samin, wer takin and
 “ fund with umquhile George Dalgleische, ser-
 “ vand to the said Erle Bothville, upon the xx day
 “ of Junii, the zeir of God M. D. thré scoir sevint
 “ zeiris, and were deliverit be the said James Erle
 “ of Mortoun to umquhile James Erle of Murray,
 “ Lord Abirnethle, uncle and regent to our So-

" verane Lord for the time; efter quhais deceis,
 " the famin box and letteris wer recoverit out of
 " the handis of his fervandis, be the said Erle of
 " Levinox, now regent, Quhilkis letteris, being
 " autentiklie copeit, and subscrivit with the handis
 " of his Grace and Lordis of Secreit Counsaile, the
 " famin copeis wer left to remane with his Grace ad
 " futuram rei memoriam. And also the said Erle of
 " Mortoun promeist and obleist him, to bring agane
 " and deliver the said box, and principal letteris, to
 " the said Lord Regent, at his returning from his
 " present legatioun *."

N° V.

A LETTER TO QUEEN ELIZABETH FROM HER COM-
 MISSIONERS AT YORK, THE XI. OF OCTOBER,
 1568.

" PLEASITHE zour most excellent Majestie to
 " understand, that sithens our last despesches the Erle
 " of Murray and his colleagues, to occupie the
 " time, have put in their answeare to the com-
 " playnts exhibited by their adverse partie.—And
 " albeit they have in the same," &c. " yet the
 " said Erle hath been content privatlie to shew us
 " such matteis as they have, to condempne the

* Goodall, ii. 91, from the acts of Lenox's privy council, in
 the Earl of Haddington's Collections.

“ Quene of Scottes of the murder of her husband;
 “ to the intent they wold know of us, how your
 “ Majestie, understanding the same, wolde judge of
 “ the sufficiencie of the matter; and whether, in
 “ your Majestie’s opinion, the same will extend to
 “ condempne the Quene of Scottes of the said
 “ murder.

“ And so they sent unto us the Lord of Le-
 “ thingtoun, James Makgill, and Mr. George
 “ Boqwannan, and another being a lord of the
 “ session; which in private and secret conference
 “ with us, not as commissioners as they protested,
 “ but for our better instruction, after declaration of
 “ such circumstances as led and induced to vehe-
 “ ment presumptions to judge her guiltie of the
 “ said murder, shewed unto us a copie of a bond,
 “ bearing date the 19th of Aprill 1567, to the
 “ which the most part of the lords and counsaillors
 “ of Scotland have put to their hands, and, as they
 “ saye, more for feare, than any lyking they had of
 “ the same. Which band conteyned two special
 “ points; the one, a declaration of Bothwell’s
 “ purgation of the murder of the Lord Darley, and
 “ the other a generall consent to his marriage with
 “ the Quene, so fare forthe as the lawe and her owne
 “ likinge shoulde allowe. And yet, in proufe that
 “ they did it not willinglie, they procured a war-
 “ rant, which was now shewed unto us, bearing
 “ date the 19th of Aprill, signed with the Quene’s
 “ hand, whereby she gave them licence to agree
 “ to the same; affirming that, before they had such
 “ warrant

“warrant, there was none of them that did or
 “wolde set to their hands, saving onlie the Earl of
 “Huntley.

“There was also in the copie of the bande a
 “copie of a warrant followinge, much to that ef-
 “fect, savinge that the one did licence to doe, and
 “the other seemed to discharge and pardone that
 “was done, which bears date the 14th of Maye.
 “It appeared also, that the selfe same daye of the
 “date of this band, being the 19th of Aprill, the
 “Erll of Huntley was restored by parliament,
 “which parliament was the occasion that so many
 “lords were there assembled: which, being all in-
 “vited to a supper by Bothwell, were induced af-
 “ter supper, more for fear than otherwayes, to
 “subscribe to the said band; two hundred harke-
 “bushers being in the courte and about the cham-
 “ber-doore, wheare they supped, which weare all
 “at Bothwell’s devotion; where [which] the said
 “lords so much misliked, that the next morning,
 “by four of the clocke, few or none of them weare
 “left in the towne, but departed without taking
 “their leave.

“There was also a contract shewed unto us,
 “signed with the Quene’s hand, and also with
 “Bothwell’s, bearing date the fifth of Aprill; writ-
 “ten, as it is said, with the Earl of Huntley’s own
 “hand, who, with one Thomas Hebourne, weare
 “the only witnesses to the same. Which contract
 “beareth date before Bothwell’s purgation of the
 “murder, whereof he was not tried nor poured
 “before

“before the 12th of Aprill followinge, and also before the proceffe of divorce began between Bothwell and his wife, which was not begunne before the first of May, and yet with speede ended within eight dayes — (1).

“There was also a contract shewed unto us of the Queene’s own hand, of the marriage to be had between her and Bothwell, bearing no date, which had not *verba de presenti*, as the other had, bearing date the 5th of Aprill. It appeared also unto us by two letters of her own hand, that ie was by her own practice and consent, that Bothwell should take her and carry her to Dunbar—

(1) Dr. Robertson says, that “Bothwell, having now got the Queen’s person into his hands,— instantly commenced a suit,—in order to obtain a sentence of divorce from his wife. This process was carried on, at the same time, before protestant and popish judges.—The pretexts which he pleaded were trivial or scandalous. But his authority had greater weight, than the justice of his cause; and in both courts a sentence of divorce was pronounced, with the same indecent and suspicious precipitancy *.” But this account is full of the Doctor’s usual mistakes, mistakes wholly upon one side.

The suit is all given to Bothwell. His wife’s suit is totally suppressed. The prosecution is ac-

* i. 419.

known to have been a double one; but then both the parts of it are expressly attributed to Bothwell. And this is done, I fear, with a design to deceive. A suit of divorce, prosecuted by Lady Bothwell herself, by the very-mention of it would have precluded all the Doctor's slanders at once. *She* could not be in a conspiracy with Bothwell and the Queen, *against herself*. And the stubborn contradictoriness of half, would have effectually destroyed the whole.

Lady Bothwell's suit, then, would not be commenced in consequence of the seizure. In fact it was not. It was determined upon, according to the rebel journal itself, so early as April the 5th. That day, Lady Bothwell even signed a procuratory for the purpose*. This was in intention, though not in act, the commencement of the suit, nineteen days before the seizure. She then authorized her proctor to pursue it in form. And, as the fact was well known to the Queen and to all her nobles, so no doubt was made of Lady Bothwell's success by either. The divorce was considered by both, as having in effect taken place already. The nobles, whether protestant or popish, whether attached to the Queen or combined against her, subscribed a formal paper so early as the 19th of April afterwards, actually recommending him as *a husband* to the Queen. This is the strongest of all possible proofs, concerning their knowledge of the suit begun by Lady Bothwell, and concerning their cer-

* No x. of this Appendix,

tainty of her being speedily divorced from the Earl. And Mary, in the same strain of knowledge, and in the same spirit of certainty, objected not his present marriage to him; on his *insinuating* his regard for her upon April the 20th, on his *avowing* it at Dunbar afterwards, or on his *showing* her their recommendation there*. Of such notoriety was the subscription of the procuratory by Lady Bothwell. With such an assurance of a divorce, did all the principal part of the nation anticipate the consequence. The proctor began the suit. A precept was issued by the commissaries of Edinburgh, Robert Maitland, dean of Aberdeen, Edward Henryson, doctor of laws, Clement Little, advocate, and Alexander Syme, advocate, on the 26th for the appearance of Bothwell†. The application of the proctor for the precept, must have been prior by one or two days at least. The order to the proctor for the application, must have been many days prior. Both probably, and the latter certainly, must have been made and given before the seizure on the 24th. But, in consequence of the precept, the first meeting was upon the 29th, the next on the 30th, and the next upon the 1st of May†. Both the last days were taken up in hearing witnesses. Her plea for the divorce was *her husband's adultery with one of her maids*. This

* See a great mistake therefore in Sir D. Dalrymple's Remarks, 201—202; who attributes this *negative* conduct of the Queen to her knowledge of the canon law, and overlooks what is so much more striking, the *positive* conduct of the nobles.

† Appendix, N^o x.

† Robertson, ii. 449.

was neither "trivial" in itself, nor "scandalous" to her. And sentence was pronounced for her on the 3d of May*.

But Bothwell also sued for a divorce. His lady's suit, though she herself was a papist, was upon good grounds and before good protestants. Yet he, though a protestant himself, applied to the ecclesiastical court of popery for a divorce. He was not fearful of the issue of the other. Lady Bothwell was certain of a favourable sentence, if she proved (as she was sure to prove) her alledged fact. But he had now a reason for wishing a divorce himself. He had now a view of marrying the Queen. A divorce pronounced by the protestant judges, would probably be considered as a nullity by her. He must therefore have one from the regular and ecclesiastical judges. He accordingly applied to them. In this application, of course, he went upon new ground. He urged the *consanguinity* of himself and his lady, being fourth cousins once removed, and never dispensed with. This was peculiarly calculated for a popish court; as the other was for a protestant one. "Apud judices regios," says Buchanan, "accusat uxor maritum adulterii, quæ una iusta apud eos erat divortii causa †." The parties *therefore* applied themselves, in this seemingly cross manner, to the protestant and the popish courts respectively. And Bothwell's suit was, though his lady's, was not, commenced in consequence of the seizure. The

* Robertson, ii. 450.

† Hist. xviii. 356.

commission for his was signed the 27th of April; and the precept issued on the 3d of May *. The plea, which he put in, though "trivial" enough to us protestants, was not so in the eyes of papists; and was certainly not "scandalous" in the opinion of either. The degrees of consanguinity had been judicially ascertained before, on February 21st 1565-6, and in the very same court; with a view to the procurement of a dispensation †. But the parties had been married immediately and without one ‡. The consanguinity therefore needed no proof at present. The marriage without a dispensation wanted alone to be proved. This was soon done. One day finished the examinations of the bishop who married them, and of the persons who were present at the marriage. And the judge pronounced, as he was obliged to pronounce, in favour of the divorce §.

* Robertson, ii. 450. † Tytler, edit. 3d. Appendix, 25—26.—Yet Buchanan in his *Detection* (Anderson, ii. 34, and Jebb, i. 244), with all a bold knave's bravery of fraudulence, says that "Bothwellis wyfe was compellit in twa courtis to sue *ane* divorce aganis hir husband," that "befoir judges delegate appointit be the Quenis autoritie to have jurisdiction in sic causis, the wyfe accusis the husband of adultery, quhilk with thame was *ane* juss' caus of divorce;" and that "befoir papische judges,—Bothwell was *accusit*," not that by the popish laws he was too near of kin to his wife, and had not been dispensed with, as it should be, but "that, *befoir* his mariage with his wyfe, he had committit fornicationn with his wyfe's *neir kinnswoman*." There is also the same audacity of imposition, in his *History*, xviii. 356. ‡ Ibid. and Robertson, ii. 450, and 451. § Robertson, *ibid*.

Where

Where then was the *injustice* of all this business? I can see none. The fact of consanguinity, we are sure, and the commission of adultery, we have reason to believe, were clearly proved. This being the case, there could be no *injustice*. But, adds Dr. Robertson, there was "an indecent and suspicious precipitancy." To be sure, there was not what we now so fully expect in all suits, the tediousness of law superadded to the uncertainty of it. Nor could there be in the present case. This was an amicable suit, which *he* did not oppose in her court, and *she* did not delay in his. The courts therefore could not but bring it to an end speedily.

Nor is there any reason, for charging either of the courts with criminality. Murray indeed pretended to charge Bothwell's with some. It was a popish court. It would readily be believed, therefore, to be corrupt. But he charged the judge in it; with being *forced* to give sentence as he did. And at Westminster he actually produced what he calls "an instrument of compulsion," whatever he means by the words, "proving the said" judge "to have been constraint to leid the said process of divorce*." This suggestion however, like many other suggestions of forgery, attempts to prove too much, and so defeats itself. The idea of force upon an assembly held at St. Giles's church in Edinburgh†, and that force exerted by a written instrument, is too ridiculous for belief.

* Goodall, ii. 87.

† Robertson, ii. 450.

Even

Even Dr. Robertson rejects it. He speaks indeed of Bothwell's "*authority* having greater weight, than "the justice of his cause;" but he thus substitutes influence for force. He afterwards rejects both the force and the influence together, as he makes the "precipitancy" alone to be "suspicious." And he extends the "precipitancy" and the "authority," equally to *both* the courts; when Murray confines the "force" to *one* alone. The existence of *influence* over either of the courts, even Murray himself denied; when he had recourse to forgery, in proof of force upon one of them. Nor did forgery do more than half its work, when it attempted to prove force only upon one. Both must be proved to be forced, or the cause is desperate. But that the four protestant commissaries of Edinburgh were forced, even Murray did not attempt to prove. Clement Little, one of the four, and Alexander Syme, another of them, we know to have been, and perhaps others were, attached to the faction*. Accordingly, the Memoirs of Crawford assert the judges in both the courts to have been under the influence of, and to have been actually influenced by, the principals in the subsequent usurpation. "The business was soon decided," they say, "for "in ten days time (Mortone, Murray, and the rest "of that faction, having *secretly used their interest* "to have it dispatched), sentence was pronounced "in both courts†." And Dr. Robertson sufficiently vindicates both, from Murray's charge

* Melvill, 117, and Keith, 586.

† P. 21.

against one of them, by resting all at the close upon the "suspicious precipitancy" of both; though, with his *usual prudence*, he omits all mention of the charge, that he may not notice what he does not believe, and may not lead to a detection of forgery in a friend.

All concurs to shew, that the courts proceeded in their customary manner upon this business. The rebels indeed accused them *at the time*, as Dr. Robertson does now, of an unusual hurry. But their accusation refutes itself, by its contradictoriness and its untruth. In the text here, "the proceſſe of divorce" is said to have "not begunne before *the first of May*;" when from the rebel journal itself the precept appears to have been issued upon the 26th of April, and the procuratory to have been signed on the 5th preceding. In the text also the process, which is said to have not begun before the first of May, is equally said to have "yet with speed ended within *eight* days;" when the process before the commissaries of Edinburgh continued *at least* from April 26th, the date of the precept, to May 3d, the day of the sentence; and that before the ecclesiastical court, from April 27th *at least* to May the 7th; eight and eleven days respectively. But the rebels were much more daring in their assertions concerning both, at first. In a memorial which Craig, the bold minister of Edinburgh, gave in to the general assembly on December 30th 1567, he affirms "the suddane divorcement and proclaiming" to have been done
"within

"within the space of *four* days *." Even in a proclamation, which the rebels presumed to issue on the 12th of June before, and at the very outset of their rebellion, they were hardy enough to maintain, that "al the proces and sentences thair of be-
"gun, endit, and sentence given thairintill, within
"two daies †." This last is the very authority to which Dr. Robertson refers us, when he declares the sentence to have been pronounced "with the same
"indecent and suspicious precipitancy," in both the courts. He chose to overlook the eight days of Murray's colleagues, in the text here. He even chose to overlook the four days of his favourite Craig. He carefully pitched upon the *minimum* *quod* of the rebels. Nor would he observe the clashing contrariety of all, and the positive contradiction of all to Buchanan, who says the suit was ended within *ten* days; "*intra decimum diem lis*
"*suscepta, disceptata, et dijudicata. est ‡.*" And, amidst such self-convicted falsehoods, we cannot but listen finally to the voice of truth, I think, in the instructions of Mary to her ambassador at Paris; and believe, "yat be ye laws ressavit withinoure
"realme, and oft times practisit, *as is notour aneych,*
"his [Bothwell's] former marriage wes dissolvit,
"and the process of divorce ordourlie led §." Nor need we rest the point upon the authority of Mary alone. We may call in the rebels themselves, to confirm her testimony. They pretended indeed to declare her marriage with Bothwell unlawful, be-

* Anderson, ii. 280.

† Ibid. i. 132.

‡ Hist.

xviii. 356.

§ Anderson, i. 106—107.

cause it was founded on an unlawful divorce. They asserted this repeatedly and formally, in their proclamations at the beginning of their rebellion. They even confederated together, as they alledged, in order to dissolve this unlawful marriage. But, when they had served their present purposes by the allegation, they totally neglected it afterwards. They did even more than neglect it. In 1569, when Mary solemnly required them to examine the marriage, and to pronounce it void if it was unlawful, the answer returned was that consummation even of *their* vulgarity and impudence; requiring her, if she wanted to have the marriage dissolved, to write to the King of Denmark, who then had Bothwell in prison, and desire him to put her husband to death. This burst of barbarity shews us very plainly, that they considered the divorce as legal, whatever they pretended to the contrary. And they, and all the nation, appear plainly to have thought the same; as Lady Bothwell esteemed herself from the first to be legally divorced, and as she was actually allowed to re-marry afterwards*.

But I wish to add two remarks to what I have said. They result from the facts before. And they tend still farther, to correct this abused portion of the Scottish History.

Dr. Robertson and Dr. Stuart agree in asserting, upon the authority of Knox, that in the winter of 1566-7 Mary restored the antient jurisdiction of

* Anderson, i. 106—107, 131, 136, and 139, Robertson, ii. 371, and 376, Crawford, 128—129, Keith, Hist. 450, App. 141, 149, and Douglas's Peerage, 665.

the archbishop of St. Andrew's, and so revived the ecclesiastical courts of popery again. Dr. Stuart says, that she thus "thought to give a blow to the powers of the commissaries, who after the Reformation were entrusted to exercise authority in ecclesiastical concerns." And Dr. Robertson says, that she thus "deprived the commissaries of all authority *;" who, he tells us in another place, when "the spiritual court had been abolished by the parliament 1560,—were appointed to hear and determine the causes which formerly came under their cognizance†." These assertions are certainly untrue, and equally in circumstance and in substance.

The commissaries were not appointed in 1560, as Dr. Robertson avers, or immediately "after the Reformation," as Dr. Stuart intimates. According to Dr. Stuart himself in another place, they were not appointed before 1564, three years posterior even to the arrival of the Queen. Under that year he remarks, that "the Queen erected courts in convenient districts, in which officers presided under the name of commissaries‡." In fact, they were not ordered till the 28th of December 1563. They were not appointed till the 12th of March 1564; when Mary gave them some instructions, which, says Dr. Robertson, "are still of great authority in that court§." Nor were they either appointed or ordered, as both the Doctors affirm, in *superse-dence* of the ecclesiastical courts before. They

* Robertson, i. 393, and Stuart, i. 184. † i. 392. So Keith also in 383. ‡ i. 79. § i. 393.

were merely to act in *conjunction* with them, and for the quicker dispatch of causes. This is very plain from a public record, even the very record which originally ordered the commissaries. In an act of privy council dated December 28, 1563, the Queen says, that “undirstanding—the causis, quhilks the “poir liegis of this realm had decidit in THE CON- “SISTORIE of befoir, *be lang delay of justice are “frustrat, and thai compellit to leif the soit [suit] of “the saidis causis; thairfore, and that the saidis “causis may haif the mair summar proces and “schortar end,” she “hes thoct gude that jurif- “dictionis be erectit in sundrie partis of this realm, “and that COMMISSARIS be appointit to gif at- “tendence thairupoun*.”* The ecclesiastical courts therefore continued acting to that day; whatever “the pretended parliament of August 1560” might order to the contrary †; and whatever Dr. Robertson may endeavour to found upon their order, by converting power into right, and by reducing commands into practices ‡.

But their modes of proceeding were slow. Commissaries were therefore appointed. These were equally to undertake the hearing of causes, for the more expeditious administration of justice. They accordingly went on in their own courts, while the ecclesiastical officers went on in theirs. And we see the fact lively displayed before our eyes, in Lady Bothwell suing for a divorce before the commissaries, and in Earl Bothwell suing for one

* Keith, 250—251.

† Ibid. 152.

‡ i. 392.

before

before the metropolitical court of St. Andrew's, at the very same time.

So little was Mary guilty in 1566, as even her good friend Dr. Stuart charges her to have been, of "an enormous breach of the constitution, and a "flagrant violation of repeated proclamations to "uphold the protestant establishment*." She was to maintain the establishment and the constitution, in the form in which she found them. She particularly found the old consistory still remaining. She continued it. She owed justice to her popish, as well as her protestant, subjects. Yet with the natural desire of a woman, and an amiable woman, to satisfy (if possible) the turbulence of protestantism; she broke through the rights of the papists, she erected new and protestant courts in addition to the ecclesiastical and popish courts before, and she gave them equally the hearing of ecclesiastical causes. She did this. And then, with the gratitude which the protestants always shewed her in return for her indulgencies to them, Knox, that fiery comet of presbyterianism in figure, and in fact that rival to Buchanan in all the boldness of falsification and slander, asserted her to have broke in upon protestantism, when she had actually broke in upon popery; and affirmed her to have suppressed the commissaries and restored the ecclesiastical courts, when she had actually deprived the courts of their *exclusive* jurisdiction, and given half their authority to her new-created commissaries.

Misled by this confidence of lying, even Dr. Stuart in 1566 thought the ecclesiastical courts to have been long suppressed, the commissaries to have been long appointed in their room, and those to have been then erected again upon the ruins of these. And Dr. Robertson, who had drunk deep of the poisoned bowl of slander, reached out by the foul hands of a Knox and a Buchanan,

Ille impiger hausit

*Spemantem pateram, et pleno se proluit auro ; **

he even averred Mary, by this re-erection of the courts, to have "deprived the commissaries of all " authority."

Yet, what is remarkable in itself, and shews at once the contradiction of Knox's falshood to facts, the very contrary of their own assertions appears even in their own histories. Those very commissaries, to whose powers "Mary had given a blow" about December 1566, according to Dr. Stuart, are found only in the April and May following, according to himself, hearing Lady Bothwell's suit of divorce. "The lady," he says, "commenced a " suit against Bothwell in THE COURT OF THE COM-
" MISSARIES, charging him as guilty of adultery
" with one of her maids *." Dr. Robertson also, who has already "deprived the commissaries of *all*
" authority," in a few pages produces Bothwell suing "before protestant—judges,—IN THE COURT
" OF COMMISSARIES †." And Buchanan therefore,

* i. 219.

† i. 419.

with a happier combination of circumstances, because with a wilder aberration from fact, asserts the ecclesiastical judges to have been totally abolished by the law before, and to have been restored merely for the trial of this single cause. One suit, he says, was “*apud officiales, quos vocant, iudices episcopales, et si decreto publico vetitos quicquam pro magistratu agere, aut ullam negotii publici partem attingere,—tamen ab archiepiscopo Fani Andreæ ad hanc litem cognoscendam datos **.”

The court of commissaries and the ecclesiastical court, indeed, had gone on from the institution of the former to the present moment, acting in union together, and equally hearing ecclesiastical causes. Lady Bothwell brought her suit before the one, Earl Bothwell brought his before the other. The protestant did not suppress the popish judicature, The popish did not crush the protestant. Each even acted as a spur upon the other. Both became emulously quick and expeditious, in the determination of causes. Hence, no doubt, they were both of them so very active as we have seen them, in dispatching these two causes. And we additionally find the ecclesiastical court in particular, at the in-

* Hist. xviii. 356. There has been some confusion made in the memorial of Robertson, ii. 450. The words run thus at present; “*was a commissioun grantit to the archbishop—and*” “*Robert, bishop of Dunkeld,*” &c. But they should run thus; “*by the archbishop—to Robert,*” &c. The commission was *from* the archbishop, not *to* him. So Buchanan says here, “*ab archiepiscopo.*” So Goodall, i. 369, actually states the clause to be. And so the context and common-sense unite to shew it should be.

stance of the very same parties, and in order to lay the grounds for a dispensation to them, busy in ascertaining the degrees of their consanguinity, even so early as the 21st of February 1565-6; at the very time when an ecclesiastical court is said to have been absolutely non-existent in Scotland, NINE OR TEN MONTHS at least before Knox's pretended revival of the court, and FIFTEEN OR SIXTEEN before Buchanan's*.

But I proceed to the other point. The only faithful historian of Mary's life, has suffered himself to be led into another mistake, which my account above serves equally to rectify. It is with pain that I point out *these spots in the sun*. My only view is, to clear the annals of Mary from some of the many errors, with which, I fear, the ignorance, the negligence, and the falshood of her *first* historians have still clouded them. "Six months before the adventure of Dunbar," says Dr. Stuart †, "he," Bothwell, "had married Lady Jane Gordon." Melvill here missed him, as Knox did before. Melvill is as little to be trusted for a date, as Knox is for a fact, against Mary. Bothwell, says that writer, "had *six months before* married the Earl of Huntly's sister ‡." Melvill indeed goes farther back than Dr. Stuart, even to the rising reports of Bothwell's intent to marry the Queen, and to a period between the murder of her husband and the seizure of her person. But he is as much mistaken in this account, as he is in a

* Tytler, edit. 3d, App. 26.
So Keith also in 383.

† i. 219.

‡ P. 78.

variety of others. In the record of the ecclesiastical court, which settled the degrees of consanguinity between Bothwell and his intended wife, and to which I have referred before, it is plain; that the marriage was already agreed upon, on the 21st. of February 1565-6*. And from the cotemporary minutes concerning the divorce, to which I have equally referred before, it is also plain; that the said marriage took place in a few days afterward, and before the expiration of the month †; about FOURTEEN months before the imprisonment of Mary at Dunbar, and near TWELVE before the murder of Darnly.

“ After the devise of the murder was determined,
 “ as it seemed by the sequell; they inferred upon a
 “ letter of hir own hand, that there was another
 “ meane of a more cleanly conveyance devised to
 “ kill the King. For there was a quarrell made be-
 “ twixte him and Lord Robert of Holie-roode-
 “ house, by carying of false tales betwixte theme,
 “ the Quene being the instrument, as they sayde,
 “ to bring it to pass; which purpose, if it had taken
 “ effect, as it was very likelie (for, the one geving
 “ the lye to the other, they were at daggers-draw-
 “ inge), it had eased them of the prosecution of the

* Tytler, edit. 3d. App. 25 and 26.
 450.

† Robertson, ii.

“ devilish

“ devilish fact; which, this taking none effect, was
 “ afterwards most tyrannously executed (1).

“ Afterwards they shewed unto us one horrible
 “ and long letter of her own hand, as they saye,
 “ conteining foule matter, and abominable to be
 “ either thought of or to be written by a prince;
 “ with diverse fond ballades of her own hand: which

(1) This is a most ridiculous accusation against the Queen. The King, and her natural brother Lord Robert, quarrelled, gave the lye to each other, and were just drawing their short swords, each against the other. And therefore somebody had made the quarrel between them, in order—to have the King murdered. So Sir Roger de Coverley’s ancestor was very like to have been killed at the battle of Worcester, because he was sent away on some business—only the day before. On this strange likelihood, however, the rebels had even founded a letter. And they give us a pretty circumstantial account of the letter, in their journal*. The quarrel was probably real. Nor let the King be thought to have been then too weak for one. He was not so weak as we may suppose. “ He was “ newly recoverit,” says Buchanan, and “ he began “ to go abroad †.” But it is very observable, that, according to Buchanan’s *own account* of this quarrel, the *Queen* actually *interposed to put an end to it*.

* No x. of this Appendix.
 and 262, Jebb.

† Detection, 74, Anderson,

“ About

" About thré dayis befoir that the King was slane,
 " scho practistit to set hir brother Lord Robert and
 " him at deidlie feid; making reckning that it sulde
 " be gayne to hir, quhilk sa ever of thame baith
 " had perischit. For mater to ground thair dissen-
 " tioun, scho maid reheirfall of the speich, that the
 " King had had with hir concerning hir brother :
 " and quhen thay baith sa grew in talk, as the ane
 " semit to charge the uther with the lie, at last thay
 " wer in a maner cum from wordis to blawis. Bot
 " quhil thay wer baith laying thair handis on thair
 " wappinnis, *the Queen*, fenzeing as thocht [though]
 " scho had bene *perrillously effrayit* of that quhilk
 " scho ernistlie desyrit, *callit the Erle of Murray*,
 " hir uther brother, *to the parting**." That the
 Queen was an artful fomenter of quarrels, no one
 will believe, I think, who knows any thing of hu-
 man nature or of her. She had too much of the
 amiable weakness of a confiding credulity about her,
 to be such a woman. But Murray was exactly that
 character. He in all probability was the real cause
 of the quarrel. He delighted in the work of mis-
 chief. And Mary, by the very confession of her
 slanderer, took fright at the tendency to drawing
 swords in them, and called in Murray to part
 them.

Lord Robert had been peculiarly attached to
 Darnly. He is, says Randolph, the English resi-
 dent, in a letter of March 20, 1565, " vain and

* Detection, 18—19, Anderson, and 243, Jebb.

" nothing

“ nothing worth, a man full of all evil, the whole
 “ guider and ruler of my Lord Darnly *.”

“ letters, ballades, and other writings before speci-
 “ fied, weare closed in a little coffer of silver and
 “ gilte, heretofore geaven by her to Bothwell. The
 “ said letters and ballades do discover such inordi-
 “ nate love betweene her and Bothwell, her looth-
 “ fomenefs and abhorringe of her husband that was
 “ murdered, in such sorte, as everie good and godlie
 “ man can not but detest and abhorre the same.

“ And these men heare do constantlie affirme
 “ the said letters and other writings, which they
 “ produce of her own hand, to be her own hand
 “ indede; and do offer to sweat and take their oaths
 “ thereupon: the matteir conteyned in them being
 “ such, as could hardlie be invented or devised by
 “ any other than by herselfe; for that they discourse
 “ of some things, which weare unknowen to anie
 “ other than to herself and Bothwell. And as it is
 “ hard to counterfiete so manie, so the matter of
 “ them, and the manner how these men came by
 “ them, is such; as it seemeth that God (in whose
 “ sight murder and bludshed of the innocent is
 “ abhommable [abominable]) wolde not permit
 “ the same to be hid or concealed.

“ In a paper here inclosed, we have noted to your
 “ Majestie the chiefe and speciall points of the said

* Keith, 272.

“ letters,

" letters, written (as they say) with her own hand,
 " to the intent it may please your Majestie to con-
 " sider of them, and so to judge whether the same
 " be sufficient to convince her of the detestable
 " crime of the murder of her husband; which in our
 " opinions and consciences, if the said letters be
 " written with her own hand, is verie hard to be
 " avoided: most humbly beseeching your Majestie,
 " that it may please the same to advertise us of your
 " opinion and judgment therein (1)*."

(1) To the account given of the bond in this article, I wish to subjoin a few remarks, which have been additionally suggested to my mind, on this transcription of it.

" In *prouse* that they did it," did subscribe the bond, " not willinglie, they *procured* a warrant—
 " signed with the Quene's hand." Yet what proof was this? Did the Queen's warrant *command* them to sign? Did it denounce *pains and penalties*, if they did not sign? Or did it even intimate her *high displeasure*, if they did not? It neither intimated, denounced, nor commanded. It only, according to their own account, " gave them LICENCE to agreee to the same." They themselves procured it as a licence. And what *proof* then could it be, " that they did it not willinglie? But, even if it could be, did they not " PROCURE " it themselves?

* Anderfon, iv. part 2d, 58—63; and Goodall, ii. 139—143; from Cott. Library, Caligula, c. i. fol. 198.

Do not they *own* that they did? And is not *this* a full proof, and the *fullest* of all proofs, that they did the other "willinglie?"

"Before they had such warrant, there was none of them that did or wolde set to their hands, saving "only the Earl of Huntley." The licence then was sent for, *after* the lords were met, *after* the supper was ended, *after* the bond was produced, *after* Huntly had subscribed, and *after* the rest had refused. It must therefore have been very late in the 19th of April, the day of the date and of the supper, and nearly at the conclusion of it; when the licence was sent for. The Queen in March supped at seven*. In November she went to bed about nine†. In April therefore she would be in bed before ten. Was her Majesty then called up from her bed to sign it? Was her attorney general sent for to draw it up? Or was she such a lawyer, as to draw it up herself?

But "two hundred harkebusiers," it seems, were "in the court, and about the chamber-door, wheare "they supped; which weare all at Bothwell's devotion." These compelled them to sign the bond. Yet all, except Huntly, are said before to have refused to sign, notwithstanding the harkebusiers. They refused till the licence came. They could therefore have refused still. What could not compell them at one hour of the evening, could not at another. And their harkebusiers, by their

* Keith, 331; "about six," say Crawford's Memoirs, 9; and "at six," say Melvill's, 64.

† Keith, 204.

own account, could not have operated as an efficient principle of compulsion upon them.

We have here indeed *two* principles of influence noticed, the harquebusiers and the licence. On which did they act? On the licence, they say at one time. On the harquebusiers, they say at another. When they mention the licence, they "procured" it, they say, "as a proufe that they signed not *willinglie*." When they speak of the harquebusiers, they "were induced after supper," they say,—"to subscribe to the said bond, two hundred—being in the court," &c. On which then did they act?

But a *third* principle of influence is also hinted at. The licence indeed is alledged, as a "proufe that they signed not *willinglie*." Yet they did so in *part*, as they own themselves. When they first mention the bond, they say they subscribed it "MORE for feare, than any lykinge they had of the same." They therefore acted in *some* measure from liking. Even when they re-mention the bond with the addition of the harquebusiers at the door, they subscribed it, they repeat, "MORE for fear than otherwayes." They therefore acted only in *part* from fear, by their own confession. And a fear, that admits a mixture of liking with it, can excuse no action, and extenuate no crime.

What then was this liking? An approbation of the design and tendency of the bond. This however could not induce them to sign. They must have a licence first from the Queen. They had one. Yet, even still, they were obliged to be frightened

into.

into signing by the harquebusiers. And after all they signed, not entirely because of the harquebusiers, not entirely because of the licence, and not even because of both; but from both, and from some liking to the work, together. They thus bewray their own iniquity, in the very act of varnishing it over.

But "two hundred" harquebusiers, it seems, were "in the court" of the tavern, "and about the chamber-door wheare they supped." Yet these permitted them to send for the licence. They sent for it, "in *prouse* that they signed not willinglie." But was there need of *any* proof of this, when they were besieged by two hundred harquebusiers, some at the door ready for immediate mischief, and others in the court below waiting to second them? Was not this, *of itself*, a proof infinitely beyond all the licences in the world? It certainly was.

They sent however for the licence. And could they not also have sent for *assistance*, to rescue them from the formidable guard about them? Could not the person, who went for the licence at that late hour of night, have gone to the town-guard, and brought them down to the tavern? Or was the guard-house more remote from the tavern, than the palace was? The guard-house was *within* the city, and near. The palace was *without* the walls, and distant.

Could even none of *themselves* have escaped out of the room, and have communicated the alarm to the guard? Were the harquebusiers under such strict orders, and were they so vigilant in the execution

cution of them, that not *one* of their number could elope to the guard-house? Were the harquebusiers at the *windows*, as well as at the door? And was not *one* of the lords suffered to go out upon any *necessary* purposes? *One* of them, we know, did actually steal off. "Eglinton," says John Read himself, "subscribed not, but slipped away*." If *he* could slip away, others could have done so too. There must either have been no harquebusiers at all, or they must have been very remiss in their duty. And those who staid might have stolen away. So much does this single fact decisively prove. But it proves even more. It proves that there were no harquebusiers at all. Had there been, even if he alone could have stolen away, this would have been sufficient. He would certainly have communicated the alarm. He would certainly have brought the town-guard to the tavern. He would certainly have relieved immediately his imprisoned brethren. The zeal, which made him effect his retreat from them, would have made him return to their relief. The strong dislike, which he had to the subscription himself, would have given him wings to prevent it in others. But he went away un-stopped by these imaginary harquebusiers. He therefore thought not of rescuing the rest from what did not exist. They might have slipped away as he did. There was no more force upon them than upon him. And he left them to stay and sign, because they liked to do so.

* Anderson, i. 112.

The lords that staid, however, "so muche misliked," say the rebels, the over-awing by the harquebusiers, that they did—what? Indignant at the force put upon them at the time, they did *not* fly with their swords instantly to the throat of Bothwell, as the captain of this gang of assassins; and threaten him with immediate death, if he did not order them out of the court and from the door. No! They—all subscribed to a man. Indignant on reflecting upon it afterwards, they did *not*, man by man, call him to an account the next day, for the constraint which he had put upon their persons, for the violence which he had exercised upon their wills, for the insult which he had offered to their honour, and for the act of treasonable presumption in which he had involved them. No! They took a more dignified revenge. They acted in a more heroical manner. The next morning they shewed their resentment to Bothwell, by—leaving the town without taking leave of one another. "The said lords so muche misliked" the guard of harquebusiers, "that the next morning, by foure of the clocke, few or none of them weare left in the towne, but departed without taking their leave." Such is the great revenge of magnanimous souls!

On the whole then, they were unwilling to sign before the licence came. They *would not* sign before, notwithstanding the two hundred harquebusiers. The licence, consequently, was *all*. Yet, after it came, they signed *unwillingly*. Of what use therefore was even this *all* in itself? They could but

but have signed unwillingly without it. They still signed unwillingly with it. They were still forced by the harquebusiers, who *could not* force them before. And they behaved at the close, just as if they had received no licence at all; shewing themselves discontented at the force used to them, and taking equally their high-souled revenge for it.

So very absurd and so very contradictory is the account, which the rebels have here given us of their subscribing the bond. It is very difficult to incorporate truth with falsehood. They will not unite thoroughly together. Something will float upon the surface, to betray the mixture. And the rebels appear from *their own* account, to have subscribed equally without licence and without force.

N^o VI.

" ABSTRACT OF MATTERS SHEWED TO THE QUEENE'S
 " MAJESTIE'S COMMISSONERS BY THE SCOTTES,
 " SENT THE 11th OF OCTOBER *.

" *A brief note of the chief and principall pointes of*
 " *the Quene of Scottes lettres written to Bothaill,*
 " *which may tend to her condemnation, for her*
 " *consent and procurement of the murder of her*
 " *husband, as farre forth as we could by the*
 " *readinge gather.*

" FIRST, the plaine and manifest wordes con-
 " teyned in the said lettres, declaringe the inordi-
 " nat and filthie love betwene her and Bothaill.

" Next, the like wordes, plainly declaringe how
 " she hated and abhorred her said husband.

" Then for the declaration of the conspiracie,
 " and her procurement and consent to the murder
 " of her said husband, how she toke her journey
 " from Edenburghe to Glasco, to visite him, beinge
 " theare sicke, and purposely of intent to bringe
 " him with her to Edenburghe.

" She wrote to Bothaill from Glasco, how she
 " flattered her said husband to obtaine her purpose;
 " and that the Earl of Lenox his father, that daye

* This title belongs equally to the present and the succeed-
 ing article; and they are both spoken of in the article pre-
 ceding, as " a paper inclosed" within it.

" that

“ that she was devisinge to bringe his sonne to Eden-
 “ burgh, did blede at the noose and mowthe,
 “ willing the said Bothaill to ghesse what presage it
 “ was.

“ She wrote also, that she was about a worke
 “ that she hated greatly, and that she lied and
 “ dissembled to get creadite with her husband, and
 “ to bringe her fashious purpose to passe; con-
 “ fessing herselfe therein to do the office of a
 “ traiteresse, which, weare it not to obey Bothaill,
 “ she had lever [rather] be dead then do it, for her
 “ hatte did blede at it.

“ Also she wrote, that she had wonne her husband
 “ to goo with her to Edenburghe, and to do whatso-
 “ ever she wolde have him to do, sayinge, Alas! she
 “ never deceaved anie before; remittinge herselfe
 “ altogether to the will and pleasure of Bothaill,
 “ wherein she wold obey him, whatsoever come
 “ thereof; requyring him to advise with himselfe,
 “ if he coule fynde owt anie other secreat inven-
 “ tion by medicine, for her husband was to take
 “ medicine, and the bath also, at Cragmiller.

“ She biddeth Bothaill to burn the lettre, for, it
 “ was over dangerous to them, and nothings well
 “ said in it, for that she was thinkinge upon no-
 “ thinge but fasherie; requyring him, that, sithens
 “ to obey him, her dear love, she spared neither
 “ honour, conscience, hazard, nor greatnes whatso-
 “ ever, he woulde take it in good parte; and that
 “ he wold not see her, whose fained tears shoulde not
 “ be so much praised, as the faithfull travailles
 “ which she susteyned to merite her place; for the

"obteyninge whercof, against her nature, she be-
 "traied him that might impeche it; prayinge God
 "to forgive her, and to geave unto Bothaill, her
 "only love, the happe and proufperitie, which she,
 "his humble and faithfull love, wishthe unto him;
 "hoopinge shortly to be another thinge unto him,
 "for the rewarde of her yrkesome troubles.

"Finally, she wrote to Bothaill, that accordinge
 "to her commission she wolde bringe the man with
 "her; prayinge him to worke wisely, or els the
 "whole burden wolde lye on her shoulders; and
 "specially to make good watche, that the bird
 "escaped not out of the cage*."

"*Examinatur.*"

N° VII.

"*Notes drawn forth of the Queens Letters, sent*
 "*to the Erle Bothwell.*"

"IMPRIMIS, After lang discourse of his
 "conference with the King hir husband in Glas-
 "cow, sche wreitis to the said Erle in this termes:
 "' This is my first jurnay, I fall end the same the
 "' morne: I write in all thingis, howbeit they be
 "' of littill weycht, to the end that ye may tak
 "' the best of all to judge upoun. I am in doing.

* Goodall, ii. 148—150, from a paper indorsed by Secretary Cecil.

"anc

“neowark haie, that I haite gredie; blais we nor
 “to desyre to lauch, to sic me lie: sa weil, ar the leif
 “to dissemble so weil, and to tell hym the trowth
 “betwix handis.”

“Item, Schortlie after: “We are coupled with
 “twaie fals racis: the devill syndere us, and God
 “not knit us togidder for ever, for the maist faith-
 “ful coppie that ever he unitit. This is my faith,
 “I will die in it.”

“Item, Thairefter, “I am not weil at ease,
 “and zeit verray glaid to writ unto you quhen the
 “rest are slepand; sen that I cannot sleip as they
 “do, and as I wald desyre, that is, in your armis,
 “my dour luife.”

“Item, A littill thairefter: “Adverteis me
 “quhat ze haif deliberat to do in the matter ye
 “knew upon this point, to the end we may under-
 “stand utheris wele, that nathing thair throw be
 “spilt.”

“Item, Thus sche concludis the lettre: “Wareit
 “moche this pokishe man be, that causis me haif
 “sa meikill pane, for without hym I wald haif
 “ane fair mair plesant subject to discourse upoun.
 “He is not o'er meikle spilt, bot he has gottin
 “verray mekill; he has almaist slane me with his
 “braith; it is war nor your unclis, and zeit I cum
 “na neirar, bot fat in ane cheir at the bed-fute,
 “and he beand at the uther end thair of.”

“Item, Thairefter, “Ye gar me dissemble sa
 “far, that I haif horring thairat, and ze caus me
 “almaist do the office of an trahatores. Remem-
 “ber yow, yf it wer not to obey yow, I had

“ rather be deid or I did it, my heart blidis at it;
 “ Summa, he will not cum with me, except upon
 “ condition that I fall be at bed and bourd with
 “ hym as of befoir, and that I fall leif him na
 “ efter.”

“ Item, Schortlie thairefter: “ Summa, he will
 “ gae upoun my word to all places. Alace, I
 “ never dissavit any bodie, bot I remit me alto-
 “ gidder to your will. Send me advertisement
 “ quhat I fall do, and, quhatsumever fall cum
 “ thair of, I fall obey you; advys tō with yourself;
 “ yf ye can fynd out any mair secret invention
 “ be medecine and the baith in Craigmillar.”

“ Item, Thairefter, “ I fall draw out all thingis
 “ out of hym, gif ye will that I advow all thingis
 “ unto hym; bot I will never rejois to dissave any
 “ bodie that trustis in me; zet notwithstanding ye
 “ may command me in all thingis. Haif so will
 “ opinioun of me for that cause, be reason ye ar
 “ the occasioun of it your self, because for my awn
 “ particular revenge I wold not do it to hym.”

“ Item, After, “ For certaintie he suspectis that
 “ thing ye know, and of his lyif; bot as to the last;
 “ how sone I speak twae or thrie guid wordis unto
 “ hym, he rejois and is out of doubt.”

“ Item, Schortlie thairefter, “ All the Hamil-
 “ tounis are heir with me, and accompanies me
 “ verry honorably.”

“ Item, Thairefter, “ Be not offendit, for I gif
 “ not our [o’er] mekill credyt. Now, sence to
 “ obey you, my deir luife, I spare nouthor honor,
 “ conscience, nor gretnes quhatsumeyer, I pray
 “ you

you tak it in guid part, and not after the in-
 terpretation of your fals guid-brother; to quhom
 I pray you, gif nae credyns agains the maist
 saythfull luifer, that ever ye had, or ever sall
 haif. Sie not hir, quhais senzeit tearis suld not
 be sa mekill praysit nor estemyt, as the trew and
 saythfull travaillis, quhilk I sustene to merit hir
 place; for obteyning of quhilk, againis my na-
 turall, I betray thame that may impesche me.
 God forgive me, and God glse yow, my onlie
 luif, the hope and prosperitie that your humble
 and saythfull luif desyris unto yow, quha hoipis
 schortlie to be ane uther thing unto yow."

Item, In the credit gifin to the berar, quhome
 we understand was Pareis, "Remember yow of
 the purpos of the Ladie Reires, of
 the ludgene in Edinburt."

Item, In ane uther lettre sent be Betoun;
 As to me, howbeit I heir noe farther newes
 from yow, according to my commission, I bring
 the man with me to Craigmillar upon Munday,
 quhair he will be all Wednisday. And I will
 gang to Edinburt to draw bluid of me, gif in the
 mene tyme I get no newes in the contrair from
 yow."

Item, Verray schortlie after: "Summa, ye
 will say he makis the court to me, of the
 quhilk I tak so gret plesour, that I enter never
 quhair he is, bot incontinent I tak the seiknes of
 my syde, I amē soe faschit with it; yf Pareis
 bring me that quhilk I send hym for, I treast it
 sall amend me, I pray yow advertise me of
 your

“ your newes at length, and quhat I fall do in
 “ caice ye be not returnit quhen I cum: thair; for,
 “ in cais ye work not wyselie, I sie that the hail
 “ burthin of this will fall upon my schulderis.
 “ Provyde for all thingis, and discourse upon it
 “ first your self.”

“ Item, In ~~ane~~ uther lettre : “ I pray yow, ac-
 “ cording to your promeis, to discharge your hart
 “ to me, urtherways I will think that my mallice;
 “ and the guid composing of thame, that hes not the
 “ third part of the faythfull and willing obedience
 “ unto yow that I beyre, has wyne, aganis my will,
 “ that advantage over me quhilk the secund luif
 “ of Jason wan; not that I wolde compar yow to
 “ ane sa unhappie as he was, nor yt myself to ane
 “ soe unpetifull a woman as sche; howbeit ye
 “ cause ma be sumquhat lyck unto hir in ony
 “ thing that twichis yow, or that may preserve and
 “ keip yow to hir, to quhome ye onlie appertein;
 “ yf it may be suer that I may appropriat that
 “ quhilk is wonne throuche faythfull, yea only,
 “ luiffing yow; quhilk I do and fall do all the
 “ dayis of my lyif, for pane and evil that can cum
 “ thereof. In recompense of the quhilk, and of
 “ all the evill quhilks ye haif bein cause of to me,
 “ remember yow upon the place heir besyd,
 “ &c. *”

* Anderfon, iv. part 2d. 71-75, and Goodall, ii. 150-
 153, from the paper-office.

N^o VIII.

THE JOURNAL OF THE COMMISSIONERS.

" Die Mercurii, 8. Decembria 1568,

" at Westminster.

" THIS daye the Erle of Murray, according
 " to the appoyntment yesterday, came to the
 " Quene's Majestie's commissioners, saying: that as
 " they had yesternight produced and shewed sundry
 " wrytings, tending to prove the hatred which the
 " Quene of Scotts bare toward her husband to the
 " tyme of his murder, wherein also they said might
 " appear speciall arguments of her inordinate love
 " towards the Erle Bothwell; so, for the further
 " satisfaction both of the Quene's Majestie and
 " theyr lordships, they were ready to produce and
 " shew a great number of other letters wrytten by
 " the said Quene, wherein, as they said, might ap-
 " pear very evidently her inordinate love towards the
 " said Erle Bothwell, with sundry other arguments
 " of her guiltynes of the murder of her husband.
 " And so therupon they produced seven several
 " wrytings wrytten in French, in the lyke Romain
 " hand as others her letters, which were shewed
 " yesternight, and avowed by them to be wrytten
 " by the said Quene. Which seven wrytings, be-
 " ing copied, were read in French, and a due col-
 " lation made therof, as neere as could be, by read-
 " ing and inspection; and made to accord with
 " the

“ the originals, which the said Earl of Murray re-
 “ quired to be re-delivered, and did therupon de-
 “ liver the copies, being collationed. The tenors
 “ of all which seven wrytings hereafter follow in
 “ order; the first being in manner of a sonnet,

“ O Dieux, ayez de moy, &c. *”

“ Apud Westminster, die Jovis, 9. die Decembris.
 “ 1568.

“ The Quene’s Majestie’s commissioners being
 “ occupied in perusing and reading certain letters
 “ and sonnets wrytten in French, being duly trans-
 “ lated into English, and other wrytings also, ex-
 “ hibited yesterday to them by the Earle of Mur-
 “ ray and his colleagues;—the commissioners pro-
 “ ceeded until dinner tyme, in the hearing and pe-
 “ rusing of the foresaid wrytings †.”

* Anderson, iv. part 2d. 150—151, and Goodall, ii. 235, from the Cotton library, Caligula, c. i. fol. 241, which is, here altered and interlined in several places by Cecil’s hand. The reader should also be informed, that the journal at present contains no more of the sonnets or letters, than the half-line of the former above.

† Anderson, iv. part 2d. 155, and Goodall, ii. 239—240, from Cott. lib. Calig. c. i. fol. 252, which is again altered and interlined in several places by Cecil’s hand.

N^o IX.

THE JOURNAL OF THE PRIVY COUNCIL.

" Apud Hampton-Court, die Martis, xiv.

" Decembris, 1568.

" And before those articles
 " were read, there were produced fundry lettres
 " written in French, supposed to be written by
 " the Quene of Scotts own hand to the Erle Both-
 " well; and therewith also one long sonnet, and a
 " promise of marriage, in the name of the said
 " Quene, with the said Erle Bothwell. Of which
 " lettres the originals, supposed to be written with
 " the Quene of Scotts own hand, were then also
 " presently produced and perused; and, being
 " read, were duly conferred and compared, for the
 " manner of writing and fashion of orthography,
 " with fundry other lettres long since heretofore
 " written, and sent by the said Quene of Scotts to
 " the Quene's Majesty."

" Die Mercurii, xv. Decembris 1568.

" Next wherunto was produced,
 " read, and viewed, the original writing, supposed
 " to be written by the Erle of Huntley; being a
 " contract of mariage betwixt the Quene and the
 " Erle Bothwell, dated at Seaton the 5th of Aprill,
 " and subscribed by the Quene and the Erle Both-
 " well

“ well with their own proper handes, as was al-
 “ ledged: the true copy wherof is amongst the
 “ things exhibited the 7th of December *.”

N^o X.

THE REBEL JOURNAL, SO FAR AS RELATES TO THE
 PRESENT WORK.

“ [1566] June 19. King James the Sixt was
 borne.

.
 “ [1566-7] January 21. The Quene tak hir
 “ journey towards Glascow, and was accompanyit
 “ with the Erlis of Huntly and Bothwell to the Ka-
 “ lender, my Lord Levistoun's place.

“ 23. The Quene came to Glascow, and on
 “ the rode met hir Thomas Crauford from the
 “ Erle of Lennux, and Sir James Hamilton, with
 “ the rest mentionit in hir letter. Erle Huntly and
 “ Bothwell returnit that same nycht to Edyn-
 “ brough, and Bothwell lay in the town.

“ 24. The Quene remaynit at Glascow, lyck
 “ as she did the 25th and the 26th, and hayd the
 “ conference with the King whereof she wryttis;
 “ and in this tyme wrayt hir bylle and uther let-
 “ teris to Bothwell. And Bothwell this 24th day

* Anderson, iv. part 2d. 172—175, and Goodall, H. 256,
 and 257, from the Cott. lib. Cal. c. i. fol. 261 and 262, which
 is again altered and interlined in several places by Cecil's
 hand.

" was found veray tyneus, wessing the King's ludg-
 " ing that wes in preparing for him; and the same
 " nycht twik journey towards Lyddisdaill.

" 27. The Quene (conforme to hir commil-
 " sion, as she wryttis) broucht the King from Glas-
 " cow to the Kalendar, towards Edynbrough.

" Jan. 28. The Quene broucht the King to
 " Linlythquow; and there remained all morn,
 " quhill she gat word of my Lord Bothwell his re-
 " turning towards Edynbrough, be Hob Ormif-
 " toun, one of the murtheraris. The same day
 " the Erle Bothwell came back from Lyddisdaill
 " towards Edynbrough.

" 29. She remained all day in Linlithquow
 " with the King, and wraytt from thence to Both-
 " well.

" 30. The Quene broucht the King to Edyn-
 " brough, and patt him in his ludging quhair he
 " endit; and Bothwell, keiping tryist, met hir upon
 " the way.

" February 5. She ludged all nycht under the
 " King, in the chalmer, quhairin the poulder was
 " layd thairefter, and quhair of Paris, her chalmer-
 " child, reffavit the key.

" 7. She lodged and lay all nycht agane in the
 " foresaid chalmer, and from thence wrayt that same
 " nycht the letter, concerning the purpose of the
 " abbot of Halyruid-houfe.

" 8. She confronted the King, and my Lord
 " of Halyruid-houfe, conform to hir letter wryttin
 " the nycht befor.

" 9. She and Bothwell soupped at the bankett
 " with

" with the Bishop of the Yllis, and efter past up,
 " accompanyit with Argyle, Huntly, and Both-
 " well, to the King's chalmer; and thair thay re-
 " maynit cheriffing him, quhill Bothwell and his
 " complices, hayd putt all thingis to ordour, and
 " Paris, hir chalmer-child, hayd reffavit in hir
 " chalmer the pulder, and came up agane, and
 " gef the signe. And thay departit to Bastien's
 " banquet and masque about eleven houris; and
 " thairefter thay baith returnit to the abbay, and
 " talkit quhill twelve houris and eftir.

" 10. Betwix twa and thré of the clock, the
 " King was blawin in the ayr be the pulder.

.

" 12. Hary Killigrew arryvit from
 " the Quene's Majestie.

" Feb. 21. Thay past togidder to Seytoun.—

" Marche 10. Thay returnit to Edinbrough.—

" At this tyme my Lord Regent purchaft leif to
 " depart.

" 24. Thay returnit agane to Seytoun.—

" April 5. The secund contract of mariage,
 " per verba de præfenti, wes maid and wryttin be
 " my Lord of Huntly; quha, for his restoring agane
 " the forfaltour, had purchasit ane procuratory sub-
 " scryvit with his sister's hand, then wyif to Both-
 " well: and thair wes the counsale haldin for the
 " cleansing of Bothwell.

" 9. My Lord Regent departit furth of Scot-
 " land.

" 10. Thay returnit to Edinbrough, to Both-
 " well's cleansing.

" 12. Quhillk

" 12. Quhilk wes Setterday, Bothwell wes
" cleansit werray strangely, as the process beiris.

" 14. Quhilk wes Mounday, the first day of
" the parliament, set onlie for reduction of my Lord
" Huntly's forfaltour.

" 18. Quhilk wes Friday, the day of the sum-
" monds of reduction of the Erle of Huntly's for-
" faltour.

" 19. Quhilk wes Setterday, the decreyt of re-
" duction wes gevin for the Erle of Huntly and
" all his freindis. The same nycht the lordis past
" the band efter supper to the Erle Bothwell, be-
" ing drawin secretlie be him to the supper.

" 21. Viz. Mounday, the Quene raid to Stir-
" ling, as it wes devysit, and from thence wreyt
" the letteris concerning the purpose devysit of hir
" ravishing; quhair Huntly cam to hir, and began
" to repent him. In the mene tyme Bothwell re-
" mainit at Edinbrough, assembling his forces.

" April 23. She came to Linlythquow, and
" Bothwell came to Haltoun hard by.

" 24. She sent the Erle of Huntly to Both-
" well in the morning, quha met hir upon the way,
" seamit to ravish hir, and tuik Huntly and the se-
" cretarie prisoner, and led them all to Dumbar,
" and thair remainit to the 3d of May.

" 26. The first precept for the partising of the
" Erle Bothwell and his wyif, was direct furth from
" the commissarys of Edinbrough.

" 27. The second precept of partising, befor
" Maister John Manderstoun, commissair to the
" Bishop of Sanctandrois, wes direct furth.

" May 3. She wes conveyit be Bothwell and
 " all his freindis, with sperris, to Edinbrough cast-
 " tell, and for fear of accusation [they] kast thair
 " sperris from thame be the way; and the next
 " Sunday hir bannis wer proclamit be hir awin
 " precept, subscrivit with hir hand.

" 12. She cam with Bothwell out of the castell,
 " to the tolbuyth befor the lordis of session, and
 " tuik hir protestatioun and act thair of hir libertie;
 " and so past togidder to the abbay.

" 15. Thay wer publicklye mareit efter bairn
 " the fortis of the kirkis, reformat and un-reformat,
 " and remaynit to the 7th of June.

" June 7. He purposit and rayd against the
 " Lord Howme and Ferneherst, and so past to
 " Melros, and she to Borthwick.

" 11. The lordis cam suddanlye to Borthwick :
 " Bothwell fled to Dumbar, and the lordis retyrit
 " to Edinburgh. She followit Bothwell to Dum-
 " bar disguyfit.

" 15. Thay cam from Dumbar to Carbarrye
 " hill, quhair the lordis met thame. The Erle
 " Bothwell fled, and she cam to Edinbrough with
 " the lordis.

" 16. She past to Lochlevin, and thair re-
 " maynit to the 2d of May 1568.

" 20. Dalgleishe, chalmer-child to my Lord
 " Bothwell, wes takin, and the box and letteris
 " quhilk he brought out of the castell. About
 " this tyme my Lord Bothwell fled be sea to the
 " north.

" July

" July 24. The Quene maid resignation of hir
" crowne in favour of hir sone, *now our Sovereane*,
" and past commissiounis of government. At this
" tyme Sir Nycholas Throgmorton was in Scot-
" land.

" 29. The King was crownit at Striviling.
" Middilmoir was present.

" August 14. My Lord of Murray, *now regent*,
" returnit furth of France, and cam to Edinbrough.

.....

" 22. My Lord, *now regent*, wes movit to ac-
" cept upon him the commission of regentry, and
" gef his solemnit ayth for dew ministratioun.

.....

" May 15. Maister Middilmoir, sent from the
" Quene's Majestie, causit my Lord from thence-
" furth absteyn from armour and violence (1) *."

(1) Of this remarkable journal I have made im-
portant use against the rebels. Against *them* it is a
decisive evidence. But in itself it is of much less
authority. And I wish to shew the wonderful contra-
dictoriness, and as wonderful absurdity, of this and
other accounts furnished by the rebels.

* From a copy marked by secretary Cecil's hand, Cotton
Library Caligula, b. ix. fol. 247; the *whole* of which is in
Anderfon, ii. 269—277, and *part* in Goodall, ii. 247—251.
The orthography of these two copies differs much at times.
But I have followed Goodall's, for his part.

"George Buchanan and others write," says Mr. Goodall, "that Bothwell seized the Queen at Almon Water; and others seek the place to the *west* of Linlithgow*." Mr. Goodall here speaks with a confusion of ideas, that is very extraordinary in a man of his clearness of conception. He means however, that Buchanan fixes the seizure, just as Crawford's Memoirs and Keith do, at "Almond-bridge;" which "stands over Avon Water a short mile to the west of the town of Linlithgow," and is sometimes called Almond-bridge, from a village to the *west* of it, but "is now commonly called Linlithgow-bridge," from the town of Linlithgow to the *east* of it†. Here also Dr. Robertson by implication fixes the seizure; saying that Bothwell "turned suddenly towards *Linlithgow*, met the Queen on her return *near that place*," and seized her‡. And the present journal equally fixes it, near *this* town and at *that* bridge. It represents Bothwell, we see, to have come to "Haltoun hard by" Linlithgow; the evening before the seizure; in order to seize her. It then indeed indicates him to have seized her to the *east* of Linlithgow, because it intimates her to be already arrived at Linlithgow; and because it makes him not to seize her till the next day, and till she was set out on her journey from Linlithgow to Edinburgh. But it plainly, by a single slip of a word, indicates him to have really seized

* i. 367. † Crawford, 19, and Keith, 383. ‡ i. 417.

her to the *west* of Linlithgow; because it describes him, who was now at "Haltoun hard by" while she was in Linlithgow, to have actually MET her the next morning on the road. "In the morning," it says, he "*met* hir upon the way."

The journal thus unites two contradictions together; by settling the seizure at some place to the *east* of Linlithgow, and at some other place to the *west* of it. Just so does the second confession of Paris also act. It equally carries Bothwell to "Haltoun hard by" Linlithgow, the evening before the seizure. It equally brings the Queen from Stirling to Linlithgow, that evening. It therefore settles the seizure, of course, to the *east* of Linlithgow. Yet it plainly points in its language, at Almond-bridge, as the very scene of the seizure. Bothwell is made to send the Queen a message in the evening from Haltoun, that the next day he should come to seize her upon the road at THE BRIDGE, "*sur le chemin AU PONT* *." Linlithgow or Almond bridge would naturally be denominated *the* bridge, at Linlithgow or at Haltoun. Nor is there any bridge at all to the *east* of Linlithgow, for many miles. And therefore the words AT THE BRIDGE, as spoken at Haltoun and as sent to Linlithgow, cannot possibly be the designation of any bridge, but that between Almond and Linlithgow. Accordingly Buchanan says of Bothwell, that, "*ad Almonis (ut convenerat) pontem, Reginam opperitur* †."

* Goodall, ii. 84.

† Hist. xviii. 356.

which John, son and heir to Matthew Earl of Lennox, was met and slain by a party under the Earl of Arran, a few years before; and at which, so lately as 1565, the Queen orders "the inhabitants of Linlithgow" to meet her, being then called "Awand [or Avon] water, on Sunday by twelve o'clock *." Hence Buchanan's History, Crawford's Memoirs, and Dr. Robertson's Narrative, all agree in fixing the seizure at Linlithgow-bridge. Hence the journal speaks of Bothwell's "meeting" her; even when it tells of her being at Linlithgow, and of his being at "Haltoun hard by," the evening before the seizure. And hence also the confession intimates his seizing her "au pont," even though it has already brought her over the bridge, and already lodged her at Linlithgow, on this side of it. The truth would mix with the mass of fiction, and spoil it.

So it equally was, I apprehend, with the Queen's route from Glasgow with the King. She returned not the way she went, the usual way by the round of Stirling. She returned by the short and straight road, that still runs through Holly-town, xi miles, Whitburn xii, Livingston vi, Mid-Calder iii, and Edinburgh or Craigmillar about xii, in all 44 or 45. For this reason, her intended return from Glasgow to *Craigmillar* is announced twice in the first letter. For this reason, her intended return to Craigmillar *in a single day*, is equally announced in the second. And, for this reason,

* Keith, 30, and 312.

neither

neither the one nor the other annunciation is ever recalled, or ever contradicted, in the third and fourth.

But the same principle, which induced the journal to lodge the Queen at Linlithgow on her journey from Stirling, equally impelled it to lodge her there before, on her route from Glasgow. Bothwell was made at both periods to send a message to the Queen at Linlithgow, in order to shew her concurrence with him in both the facts, that were respectively transacted just afterwards ; in the murder of her husband, and in the seizure of her own person. Accordingly the journal tells us, that “ the Quene broucht the King to Linlythgow, and “ there remained all morn, quhill she gat word of “ my Lord Bothwell.” It also informs us, that on her journey from Stirling “ she came to Linlythquow, “ and Bothwell came to Haltoun hard by ;” and that “ in the morning ” he “ met hir upon the “ way, seamit to ravish hir,” &c. And one uniform plan of imposition is evidently carried on in both.

But let us attend to a very striking circumstance, in the journal-narration here. This will shew the plan of imposition to be still more plainly the same. The journal says, that, at the Queen’s *former* lodging in Linlithgow, she staid there “ all morn ” the next day, till she heard concerning Bothwell “ be “ Hob Ormestoun, one of the murtheraris.” But the second confession of Paris says, that, at the Queen’s *latter* lodging in Linlithgow, “ Monsieur “ d’Ormeiston ” came to the Queen there from Bothwell.

Bothwell. This is clearly the same visit, applied to one route by the confession, and to another by the journal. Accordingly, the journal takes no notice of the visit in the confession. Nor does the confession take any notice of the visit in the journal. Each takes a man of the same name of Ormeston, sends him with a message from the same Lord, carries him with it to the same Queen, and makes him deliver it to her at the same town. Yet *this* refers it to the journey in February, and *that* to the journey in May. As therefore the one is a witness against the other for the visit, so their contradiction in the dates effectually destroys both. And all shews the lodging at Linlithgow in either journey, which was made purely for the sake of introducing this visit at either, to be just as fictitious as the visit itself.

But let us examine the progressive accounts, in the journal and in the confession. Let us examine them separately. Let us examine them in conjunction. And then we shall see this important truth still more clearly.

By the route in the letters, the King and Queen reached Craigmillar in one day, Monday, January the 27th. The Queen staid with him there on Tuesday and Wednesday. And on Thursday she went to Edinburgh with him, to be blooded herself, and to lodge him at Kirk-a-field. This I believe to be the route really pursued by the Queen, and really meant by Crawford's Memoirs, in saying the King did "travel (though *slowly*) to Edinburgh."

“burgh*.” The journal therefore, when it delineated the course and the stages so differently from this, in order to prosecute its own purposes; was obliged to stop the King and Queen upon the road in such a manner, as that they should not get to Kirk-a-field by its route, sooner than they got thither by their own. Thus, though it brings the King and Queen on Monday, Jan. 27, “from Glasgow to the Kalendar;” that is, from Glasgow to Stirling, 30 miles, and from Stirling to Kalendar near Falkirk, about 20 miles more, in all about 50, and 5 or 6 farther than the direct route of the letters on the very same day; yet it is *no less than three days afterward*, in carrying them the remaining 25. And what are the pretences made use of; for this hasty travelling on the first day, and for these dilatory motions on the other days? There is no reason assigned for *that*. The only reason was, no doubt, that the King and Queen actually took a journey nearly as long, though by a different route, the very same day. But, for the slow progress afterwards, these are the assigned reasons. She “remained” at Linlithgow “all morn” of Tuesday, Jan. 28th, says the journal; “*qubill* she gat word “of my Lord Bothwell his returning.” This then was the reason for her stay “all morn.” But what sort of a reason is this? What had Bothwell’s return to do with her journey? How could his return either hasten, or impede, the progress from Linlith-

gow to Kirk-a-field? Yet it was not his absolute return, that was now announced to her. No! It was only his returning. And it was only his returning "towards" her; and not "towards" her at Linlithgow, but at "Edynbrough." She "remained all morn, quhill she gat word of my Lord Bothwell his returning towards Edynbrough, be Hob Ormiston." Such an *olio* of impertinences is all this!

But we come to worse than impertinences immediately. The Queen received intelligence at Linlithgow, about noon of Tuesday, Jan. 28th, "of my Lord Bothwell his returning towards Edynbrough, be Hob Ormiston." Bothwell therefore had sent Ormiston before him, to acquaint her of his intending to meet her at Edinburgh. But where was Bothwell gone? This very journal tells us. He set out the Friday evening before for Lydfdale. "Bothwell this 24th day wes found, &c. and the same *nicht* tuik journey towards Lydfdale." This was an expedition of about seventy miles*, over a wild and mountainous country, and in the depth of a severe and stormy winter. He therefore could not get thither till Sunday morning, or Sunday noon; nor did he set off on his return, till Tuesday. "Jan. 28th," says the

* Bothwell went, no doubt, to Hermitage, his castle in Lydfdale. This, by the new road from Carlisle to Edinburgh, would run (I believe) pretty nearly thus: to Moss-paul Green about 12 or 13, Hawick 12, Selkirk 11, Bankhouse, 15, Middleton 11, Edinburgh 10, in all 71. And this is the road nearest to Hermitage.

journal itself,—“the Erle Bothwell came back from “Lyddisdaill *towards* Edynbrough.” How then could Ormestoun get before him to the Queen at Linlithgow, by Tuesday noon? He could not reach Linlithgow, 16 miles beyond Edinborough, in less than *two whole and long days*. Yet he reaches it in *half a day*. He comes with an account, not merely of Bothwell’s intending to return, but of his actual returning. He brought “word of my Lord Bothwell his returning towards Edynbrough.” With such amazing folly is this journal put together!

But Mary, it seems, remained all the morning of Tuesday at Linlithgow, waiting to hear from Bothwell. She stopped the King and all her attendants, for half a day; in order to hear, what when she had heard did not signify a rush to her, or to her schemes; and what she must know, before she had heard, would not signify half a rush to either. She heard, yet she still remained at Linlithgow. She heard, yet she still stopped the King and all her attendants. She staid to hear, and she staid when she had heard. She staid the afternoon, as she had staid the morning. She even did more. She did not even set off the next morning. She did not even set off the next noon. She did not even set off the next afternoon. She staid all day again at Linlithgow. The “29,” says the journal, “she remained all day in Linlithquow with the King.” She thus went no less than 50 miles on Monday. In such a hurry was she then! But she went not one mile on Tuesday. She went not even one on Wednesday. What then was the cause of this strange variation?

riation? A miraculous effect requires a miraculous cause. The cause indeed was truly miraculous. She had no less a reason for staying, than—to write a letter to Bothwell. “29. She remained all day “in Linlithquow with the King, *and wraytt from “thence to Bothwell.”* But why did she not write to him by Ormeston on Tuesday? For this plain reason, that then she could have had no pretence for staying at Linlithgow on Wednesday. Yet why did she write at all on Wednesday? Bothwell would be at Edinburgh on Wednesday night. She herself might have been there also, that night. And she could then have said more, than she could possibly write to him. Indeed there could be nothing to be said or written to him. He had only left her the Friday before, according to the journal. She had written to him no less than four times, according to the letters, in this interval; though he was all the while, according to the journal, in the distant region of Lydisdale. She has also pretended to hear from him in this period; though the fact is absolutely impossible. The journal equally pretends, that she now heard from him at Linlithgow; though this is equally impossible. And her letters from Glasgow, her letter from Linlithgow, her hearing from him at Linlithgow, and her hearing from him at Glasgow, are all links of the same chain of absurdity; all carrying on the general system of forgery, and these particularly endeavouring to fill with impertinences that void of time, which their forgeries produced in the history.

There is also the same impertinence and absurdity, in the account of the Queen's other stay at

Linlithgow, which is given us by the confession. It brings "Monsieur d'Ormeiston," not "Hob" "Ormistoun," though it means him, but "the" "Lard of Ormeistoun," to whom "Hob" or Robert "Ormistoun" was "his fader brother," or uncle*, from Bothwell at Haltoun, to the Queen at Linlithgow, the evening before the seizure.— "La nuit," it says, "auparavant que la Royne" "fust ravye et enlevée du dict Sieur de Boduel,—" "Monsieur d'Ormeiston vint parler a la Royne bien" "secretement." What then was the purpose of this *very secret* visit, from this emissary of Bothwell's? NOTHING AT ALL. The Queen is obliged to send back an answer, and to expect a reply. But, instead of sending back a verbal answer to this verbal message, she returns a letter. And, to inflame the absurdity, she does not return it by Ormeiston. No! She sends it by a fresh messenger. She sends it by Paris, though he did not well know the road to "Haltoun hard by" the town. For that reason Ormeiston, who should have carried the letter, is made use of only to be the guide to Paris. And this awkward contrivance is put in practice, merely to give Paris an opportunity of deposing to this *very secret* visit of Ormeiston's. "Là-dessus" "la Royne rescript une lettre par le dict Paris, et" "par ce qu'il ne scavoit bien le chemin, la Royne" "le feist conduire par le dict Ormeiston."

But Paris and Ormeiston reached Haltoun. They there, says the confession, found Bothwell "en" "bonne compagnee." He was therefore indulging

* Anderson, ii. 165 and 166.

himself,

himself, to be sure, in all the jollity of a jovial crew. And they were all drinking, in the noisy merriment of the times, "potations pottle-deep." But what must be the surprize of the reader, when he finds that they were not drinking at all, and that they were all *soberly asleep* together in one room. This, to be sure, was exceedingly "good company" to Bothwell. This merry society of sleepers was a number of officers *in bed about Bothwell*, he sleeping *in the midst of them*. So preposterously absurd is the *language* of this confession! "Le dict Monsieur de Boduel estoit en bonne compagnie, et mesmes les capitaines couchoient aupres de lui et d'autres; et trouvent le dict Seigneur de Boduel endormy."

Paris went up to him amidst all this "good company," and awakened him. Paris then spoke to him, unmindful of them all. They might or might not have been asleep, for any thing that Paris knew. If asleep, they might have been awakened by the same exertions, as awakened Bothwell himself. Yet Paris told him all his errand openly. He did not merely put the Queen's letter into his hands, and let that speak in silence. No! That would have been to have acted, as a *real* Paris must have acted. He therefore acted very differently. He announced it to be the *Queen's* letter. When plotters make incidents, they frequently forget those little strokes of nature, that give the genuine air to realities. And the facts of life, and the fictions of invention, are often as different from each other, as the living body is from the

the dead. "Luy dict, Monsieur, voyla des lettres
"que la *Royne* vous envoie."

Nor is Bothwell less unnatural, in his part of the conduct. He does not instantly check the dangerous loquacity of Paris. He does not even receive the Queen's letter himself, in a cautious silence. He does not even suppress the name of the bringer, then a chamberlain to the Queen. And he does not even refrain from using the Queen's own name to him, and of sending an express message to the Queen by him, in the presence of them all. Such a dexterous manager of a plot was Bothwell! So admirably calculated was he, for carrying on an adulterous correspondence with a Queen! But indeed he was sufficiently qualified for the work, when he had only such a poor tool as Paris to work with, who could awake him with an announced letter from the Queen, in the midst of a large company; and when he had such a Queen to work upon, who could send letters of adultery and of murder to him, without the slightest guard of a seal upon them. And he cried out to Paris, that it was all well. "He bien, *Paris*, ce dict-il." He then rose, and ordered Paris *to lie down in his place* for a while. "Couche toy là a ung peu," he said. So little ceremony was used, between this proud and aspiring Earl, now an adulterer to a Queen, and now going to be a husband to her, and this former domestic of his! And Bothwell says, that in the mean time he shall go to write. "Cependant," he adds, "je m'en vays escrire." He writes. He comes back to Paris with what he has written. He

gives it to him. He gives it to him with an accompanying speech, expressly mentioning the *Queen* as the person to whom the letter was addressed. And he does this in spite of all the "good company" around them, not one of whom has yet been awakened by Paris's coming into the room, by Paris's awakening him, or by Paris's address to him; by his own opening and reading the letter, by his own rising from the bed, or by his own speech to Paris; by Paris's lying down upon the bed, by his own going to write a letter, or by his own return with it to Paris again. Such sleepers were these bonny fellows of Bothwell's! He had "drugged their" "possets well," before they went to bed. And, in the language of that factious alderman of the second Charles's days, they might have all *risen in the morning with their throats cut*, without being sensible of the mischief which had been done them. "Après avoir escript, il dit au dict Paris, Recommende moy humblement a la Royne."

But what need was there, let me ask, for Bothwell's writing to the *Queen* in these circumstances? It was requisite for the fuller evidence of her guilt, in conspiring with Bothwell for her own seizure. It could be requisite to no earthly purpose besides. And, in their eager pursuit after this, the forgers left nature and common-sense behind. *For this reason*, the place of seizure is not ascertained before Mary set out for Stirling; *that she may write four letters from thence to settle it. For this reason* also, it is not ascertained in any of the four; *that Bothwell may send a message to her about it from Halkoun. For this*

this reason too, it is not settled by the message; that she may write a letter from Linlithgow to Bothwell about it. And for this reason, finally, it is not determined decisively, even by this letter; that Bothwell may write another, that Paris may carry both it and the Queen's, and that Bothwell may make a speech to Paris, explanatory of the whole. "Recommende moy humblement à la Royne," he says, "et luy dictes, que j'iray aujourd'hui la trouver sur le chemin au pont."

All the actors in this confession, I observe, make formal speeches when they deliver their letters, and speeches significant of the contents of those letters. This is, of all unnatural strokes in the confession, the most unnatural. It is an absurdity too big for any depositions, except the depositions against Mary. With such verbal accompaniments, the letters themselves are a mere superfluity; and the very carriers of the letters are as much in the secrets of the plot, as the very managers themselves. But all this is in the same tone of unnatural absurdity, with a Queen's sending her letters, though adulterous in every particle of them, absolutely unsealed, by one of her male attendants. And yet all was requisite to support the forgeries of the rebels. A speech was peculiarly requisite in the present case, because the verbal accompaniment was to stand in place of the letter itself, and *that* was produced while *this* was left *inter semina rerum*.

In this, however, Bothwell not only mentions the name of the Queen, just as Paris had done

B b 2

before.

before. He goes far beyond Paris. He even mentions his compact to meet her the next day. He even speaks of the very place of meeting her. And he thus betrays the whole conspiracy, to every ear that listened, in all the "good company" around.

So replete with absurdity is the account in the confession and in the journal, separately taken! But, when we come to unite the accounts in the journal, the confession, and the letters together; we see the absurdity swelling upon our hands, and mounting up into the extreme of folly. The Queen has left Edinburgh for Stirling, IN ORDER to be seized on her return. Yet the very PLACE of the seizure has not been settled. Such a wretched conspirator has this burlesquer of nature represented her to be! Huntly is therefore obliged to be sent after her, that she and he may settle what Bothwell and she, it seems, had forgotten before. He comes, but he cannot settle it. It is the central point of the whole. Yet it cannot be settled. But where is the difficulty? Huntly had come without any credentials from Bothwell, it seems, and Mary would not trust him. So cautious was the Queen about a circumstance, though she never thought of adjusting an essential point! And so incautious was Bothwell, even when he had been guilty of such a gross neglect before! A letter is therefore sent off express by her to Bothwell, to desire *he* will settle it himself; though he had already desired she would settle it, and she might as well have settled it herself,

self, by the very letter that required him to settle it. She needed only to have said, that it was an astonishing inadvertency in them both not to have settled it before, and that she would now settle it at once, by saying she would take care to be at Linlithgow-bridge by eleven on Thursday forenoon, Jan. 24th, and he should take care to be there a little before that hour. This would have been soon said. But then this would have been to make Mary act with one ray of common-sense. And the rebel system of forgery would not admit of a single ray. All must be the very darkness of idiocy itself. Huntly accordingly returns back to Edinburgh, in order to settle there with Bothwell, what he had been actually sent to Stirling in order to settle with the Queen there; and what might have been settled without him, with the greatest ease, and in a single line from either. Yet he cannot even now settle it. He has gone from Edinburgh to Stirling. He has returned from Stirling to Edinburgh. He has been chasing the gossamer, but he cannot catch it. He goes again to Stirling in pursuit of it. Yet he is as unsuccessful as ever:

—— per mare magnum

Italiam sequimur fugientem, et volvitur undis.

And even three letters more are written by the Queen, without ascertaining this momentous point. The Queen accordingly comes to Linlithgow, half way back from Stirling, by the mere stupidity of herself and of her dull gallant; without ascertaining

on what part of the road she shall be seized, though she went thither on purpose to be seized. Then Bothwell sends Ormeston to her very secretly at night, to ascertain it for some remaining part of the road. But Ormeston is as little successful, as Huntly and the letters had been before. The Queen is obliged to have recourse to another letter. For the greater security in a case of so much embarrassment and so much importance, she will not commit it to Bothwell's messenger. She will send one of her own attendants with it. And, as he knows not the road well, Bothwell's emissary shall be his guide. In this letter, to be sure, she at last speaks out. When the gentleman is so stupid, as not to appoint a proper place for the *ravishment*; the lady herself must step forward, and appoint it. Yet, even yet, she does *not* appoint it. An overpowering modesty still prevents her very *pen* from saying, what even the *tongue* of one, who had been some months an adulteress, would have spoke plainly. And Bothwell is forced at last to write, what he ought to have written long ago. He now fixes to *meet* her the next day upon the road, *at the bridge*. She is therefore to *go back* to *the bridge* on the west of Linlithgow, in order to be seized there. She is even to go back beyond the bridge, and then to return towards it; that he may *meet* her at the bridge. The place of seizure is thus settled at last. Mary is to set off the next morning, and Bothwell is to follow at a little distance. She is then to turn; he is to advance; and thus all her attendants, all his soldiery, and all the world besides, are to be deceived

deceived by this notable contrivance. But in these suppositions we are too hasty, it seems. Imagination outruns the speed of these adulterous lovers, Love enjoyed lays aside his pinions. All is not yet settled between them. And another messenger is dispatched the next morning by the Queen, to adjust some circumstances yet un-adjusted, about the place of seizure. This messenger is Huntly, Though so baffled before in his negotiations, he is once more employed in the work. And "April 24," says the journal, "she sent the Erle of Huntly to Bothwell in the morning." Never surely was the power of burlesque carried to a greater length than this, even in works professedly of a burlesque nature. An habitual liar, from the continual exercise of his faculties in lying, at length becomes as credulous as he is false; and pays an implicit faith in time to the very productions, and even to the most monstrous productions, of his own brain,

But let me add one observation of a purely historical nature, before I close the essay. *What day precisely was the Queen seized by Bothwell?* On Thursday, April 24th, says the journal. And all our historians have said the same, upon the authority of the journal. But she was seized, I believe, upon Wednesday, April 23d. She left Stirling, says the journal, on Wednesday. She was certainly seized the very day she left it. She did *not* sleep at Linlithgow, set off the next morning, and then fall into the hands of Bothwell. The rencounter be-

tween them was at Almond-bridge, on the Stirling side of Linlithgow. And, consequently, she was seized on Wednesday. But let us also attend to the evidence of the letters. Of these, there were originally *two* only from Stirling. These therefore were calculated for Monday night, as the fifth pretends to be written at night, and for Tuesday. And the seizure was *then* intended *for the next day*. But the plan was afterwards altered. The 7th letter was added, as written just immediately after the 6th, "sen my letter writtin," and equally upon Tuesday; while the 8th must be constructed for *Wednesday*. In the former, the Queen's arrival at Stirling is intimated to have been the day before, "zisterday," or Monday. The Queen's seizure is also announced to be intended for "after to morne," or Thursday. And as this marks the variation of the plan in the letters, conformably to the *present* state of the journal; so does it exhibit a clear contradiction to the journal still, in making the Queen stay at Stirling on Wednesday, when by the journal she was actually gone to Linlithgow. The seizure of the Queen was transferred by these bold artificers of history, from the real day, Wednesday, April the 23d, to Thursday, April the 24th, in opposition equally to their original plan, and the actual truth; merely to suit their new purpose, of multiplying the evidences of Mary's guilt, and to give room for the coming of Bothwell to "Halton hard by" Linlithgow on Wednesday, and for the sending of Huntly to him the next morning.

The

The journal, the confession, and the letters, were all fabricated on the same principle, and with the same view. They were to serve the purposes of a party, that could only be served by daring falsehoods. Truth therefore was discarded in all. Realities yielded the place to fictions. And history was accommodated to convenience. The journal particularly was drawn up for the formation of the *Detection*, as well as of the letters; for that infamous fardle of the most extravagant calumnies, as well as for these convicted forgeries against Mary. The journal as frequently refers to the *Detection* in silence, as it professedly does to the letters. It was therefore drawn up originally for the construction of both. And it accordingly partakes of the falsity, the folly, and the impudence of both*.

* Not *from* Buchanan's papers, as Keith, 384, unthinkingly states the point; but *for* them.

N° XI.

MURRAY'S INSTRUCTIONS TO ROBERT COMMEN-
DATOR OF DUNFERMLING, HIS EMBASSADOUR TO
THE ENGLISH QUEEN, OCTOBER 15, 1569.

" We produced to the Quenis Ma-
" jestie of Ingland's commissioneris,

" 1. The namis of the estatis of this realme
" convenit at Edinburgh in the month of Decem-
" ber MDLXVII. — — —

" Item, We producit eight letteris in French,
" written be the Quenis awin hand, and sent to
" James sumtime Erle of Bothville.

" Item, A little contract or obligatioun, written
" by the said Quenis awin hand, promising to marry
" the said Bothville.

" Item, An uther contract written by the Erle of
" Huntlie's hand, of the date the v. of April 1567.

" Item, The depositiounis of the persounis who
" wer airt and part of the murder, and wer executed
" for the samin*."

.

* From Goodall, ii. 84—88.

N° XII.

N° XII.

ANE LETTER PRESENTIT BE THE BISHOP OF ROSS,
TO THE QUENE'S MAJESTIE OF ENGLAND, FOR
INFORMATIOUN, AND DEFENCE OF THE QUENE'S
MAJESTIE OF SCOTLAND.

“ For the alledgit writingis, in form of
“ missive letteris or epistles, quhilk makis na faith
“ speciallic, quhair, in the samin, no word is dispo-
“ siting or giving exprefs command, as in this may
“ be sene; and als wa thay are not subscrivit be the
“ alledgit writer thair of, nor seillit nor signetit,
“ and contain na daít of zeir, moneth, or day, nor
“ zit direct to na man; and in the samin thair is
“ na mentioun maid of ony beirar, as is alledgit,
“ quha was never zit knawn, as did receive thame
“ fra hir, or deliver thame at hir command, to ony
“ uther in the world.

“ Presentit the xvii. of December 1568 *.”

* From Queen Mary's Register, Cott. Lib. Titus, c. 12,
Goodall, ii. 389.

AN EXTRACT FROM THE BISHOP'S PUBLISHED DEFENCE OF QUEEN MARY'S HONOUR.

“NEVERTHELESSE, when you [Murray, &c.] have taken your best advantage you can of them, such kinde of letters missive and epistles; especially not conteyning any expresse commaundement of any unlawful acte or deede to be committed and perpetrated, not ratifying or specifying the accomplishment of any such acte already past, but by unsure and uncerteine ghesse, aymes, and conjecturall supposinges; are not able in any wise to make a lawful presumption, much lesse any good and substantial proufe, not only against your Sovereigne and Prince, but not so muche as against the poorest woman, or simplest wretched creature, in al Scotland. But yet, say you, they are her letters. She denieth, and we denie them too. There is neither subscription of the writer, nor superscription unto whom they were directed: they are neither sealed nor signed; there appeareth neither date, wherein the were dated, neither day nor moneth. There is no mention made of the bearer, who is, as it may be supposed,—the man in the moone. He was never yet knowen nor herd of, that did either receave or deliver them. For as for him that ye surmise was the bearer of them [Paris],
“and

“and whome ye have executed *of late* for the said murther, he, &c. *”

This work was written originally, says a servant of the Bishop's upon his examination April 18th 1570, “about twelve months before, by the Lord Hereys, and Lord Boyd, and the Bishop of Ross; “as his master the Bishop told him †.” It was written therefore during the conference at Westminster, and in the months of November and December 1568, by these the most active and vigorous of Mary's commissioners; Lord Boyd leaving London December the 22d ‡, Lord Herries and the Bishop leaving it February the 4th §, all meeting again at the Queen's prison of Tutbury in Staffordshire on February 9th ||, and thence separating soon for ever ¶. But, says the servant again on the same authority, “it had lain ever since by “the Bishop, to be amended as occasion should “serve **.” It was accordingly amended, by receiving several additions. Among the rest was a reference to the dying speech of Paris, who was not executed before the August succeeding ††. And Murray, in his instructions of October the 15th following, says just as the Bishop says here, that “Paris, a Frenchman,—was present at the committing of the murder, and *of late* execute to the

* P. 17—19, Anderson, i. † Anderson's preface to it, p. iv.
 ‡ Goodall, ii. 278, and 314. § ii. 333—336. || ii. 367.
 ¶ ii. 368, and Lesley's Negotiations, 42—43. ** Anderson's pref. iv. †† Goodall, ii. 76.

"death for the famine*." For these reasons, the work declares itself to have been "imprinted at London in Flete Strete, at the signe of Justice Royall against the Black Bell, by Eusebius Dicæophile, Anno Dom. 1569 †:" not absolutely in 1569, as we *now* make our computation of time, and as this has always been interpreted to mean; but, as appears from what I have just said, in that part of 1570 which was then reckoned into the year preceding. It was sent to the press, adds the servant, by "his master, the Bishop *about* Easter then last," and yet *before* the 25th of March. The first page, which carried the fictitious name of the printer as above, was printed immediately, and on that account was dated in 1569. And the last page, which repeated the fictitious name of the printer again, was equally dated in 1569; because the first and the last pages, I believe, always formed a single sheet in a pamphlet then.

The last gave the same account of the printer as the first, and then subjoined these words concerning the bookseller; "and are to be sold in Paul's Church Yearde, at the signes of Tyme and Trueth, by the Brazen Serpent, in the shoppes of Ptolome and Nicephore Lycosthenes, brethren germanes ‡." A vindication of Mary would so little be relished by the defaming genius of Elizabeth, in the opinion of a bishop who knew her well, that, though he inserted "some sentences" in it "very

* Goodall, ii. 88.

† Anderson's pref. v.

‡ Ibid. vi.

" full

“ full of respect and honour towards Q. Elizabeth *,” yet he dared not to prefix his own name, the name of the printer, or the name of the bookseller, to it. Nor was he mistaken in his judgment. “ Before eight leaves could be finished” at the press, says Cecil himself, glorying in the dexterity of his oppressiveness; “ intelligence was had” of the work. The bishop was suspected to be the author. A servant of his was seized. He betrayed his master. And the book, which by this time had been printed and published, was violently suppressed †. Such was the steady villainy, with which Elizabeth and Cecil endeavoured to destroy the reputation of Mary; to draw down the basest imputations upon her; to patronize every private and public calumny against her; yet to debar her from all private refutation of the charges, and to preclude her from all public vindication of her innocence!

In consequence of this, the Bishop’s defence of his injured mistress was forced to be carried abroad, and printed at a foreign press. Neither England nor Scotland, at this period, would suffer any writing to be published in her favour. So much did the rebels and their associates dread the force of proclaimed truth, and the energy of asserted innocence! The work was re-printed at “ Liege, by “ Walter Mörbers, 1571.” But even yet the Bishop could not venture to avow it, with any safety to himself. He himself was still in England. The fell spirit of malignity in Elizabeth, was only

* Anderson’s pref. xii.

† Ibid. iv. and v.

inflamed by the hand of time. And the vindication pretended itself to be "made, by Morgan Philippes, bachelor of divinitie, An. 1570*." The long arm of Elizabethan tyranny, however, was able to reach the Bishop behind all his guards. Some copies of this second edition being sent to England, they were seized immediately on their landing. The second edition was suppressed, like the first. And a copy of either is become very scarce at present †. So very studious, and so nearly successful, was this wretched woman; to rob posterity of all true information concerning Mary, and to deliver us over to the delusions of her own and Murray's impostures!

But she did more than this. She seized the Bishop. She threw him into prison. She minded not the sacredness of his character, as an ambassador. He had been intriguing with her discontented subjects. He had been publishing what she did not like. *Her* ambassadors, however, had been uniformly and invariably intriguing with Mary's subjects in Scotland, and yet had never been seized and never been imprisoned. But Elizabeth was too violent, to observe any measures of equity in her conduct. *Her* ambassadors might foment rebellions in Scotland, yet Mary's should not in England. Mary's should not even presume, in any publication whatever, to justify their calumniated Sovereign. He was repeatedly examined in council, therefore, concerning his intrigues and his

* Anderson's title-page, and pref. vi.
pref. vi.

† Anderson's
book.

book *. Even one Cockyn, his bookfeller, and one Good, his phyfician and friend, were equally examined concerning the latter †. He was kept in the tower for many months, under very ftrict confinement, and in continual expectation of death. He was actually doomed to death. All the laws of nations were daringly trampled upon, by this Grand Seignior of the fex. But in January 1574 he was at laft releafed, on the preffing follicitations of the King of France. He retired immediately into his dominions ‡. And there, at Rheims, in 1580 he re-published his work in Latin, *prefixed his own name to it*, and declared it to have been “ firft compiled “ by *him* in Englifh, while he was embaffador in “ England for Q. Mary, and now translated by “ *him* into Latin §.” He therefore was the compofer of the work. The lords Boyd and Herries only fupplied facts and circumftances. Mary alfo, as appeared on Good’s examination, made fome additions to the whole ||. And all contributed to form a vindication of Mary, that has a very great fhare of merit; that might have been fufficient of itfelf, in the eye of calm reafon, to have faved her honour in the firft moments of affault upon it; and that has proved a very ufeful ftorehoufe of arguments, to all the vindicators of her reputation fince.

The book, however, was little known. The

* Anderfon, vii. and viii. † Ibid. xi. ‡ Leflei Vita, 6—7, Anderfon, 1; and Negotiations, 166—167, 192—194, 196—197, 230, 244, 245, 246, 248, and 251—252, Anderfon, 111. § Anderfon, viii.—ix. || Ibid. xi.

very scarcity of copies must necessarily occasion this. And how can an author convince, unless he is read? At last however, no less than 157 years after its first publication, Mr. Anderson, an enemy to Mary, and, as almost all her enemies have been, an unfair one, very ingenuously re-published the work in his collection of papers, 1727. It has thus become generally known and admired. The more it is known, the more it will be admired. It is actually serving the cause of Mary very powerfully, at present. And her friends must ever own their obligations to Mr. Anderson, for furnishing them with it.

He saw that the Bishop had followed chiefly the *second* edition, in his Latin publication of it at Rheims. This is fuller in the preface than the first, and has all the compliments to Elizabeth very properly retrenched in the work itself. And therefore Mr. Anderson followed it entirely in his *.

Lesley's Defence of Mary, then, was begun to be written *while* the conferences were *proceeding* in England. But its opposed work, Buchanan's Detection, was begun to be written *before* those conferences were *opened*. This is plain from the prefatory words of it. "A greit part of this greif is
"relevit," it says *to* Elizabeth, "be zour equitie
" (maist excellent Quene), quha tak it na les displeasandly to se zour kinniswoman, than we to se
"our Quene, thus in speiche of all men to be dishonorabillie reportit; quha als wa ar for zour part

* Anderson, ix, xii, and xiii.

"na les DESYROUS to *understand the treuth*, than we
 "for ouris to *avoide sclander*. *Thairfor* we will
 "knit up the mater als breifly as possibilly may
 "be *." When this sentence was written, as Eli-
 zabeth is said by it to have been yet *desirous* to un-
 derstand the truth, and the rebels are equally said
 to have been yet *desirous* to avoid slander; the con-
 ferences had not yet begun. They begun at York.
 They ended there. They begun again at West-
 minster. There, *at the very time the letters and*
sonnets were produced, was produced the finished
 Detection of Buchanan. Murray, says Camden,
 exhibited to the commissioners at Westminster
 "certane love-letters and verses, written (as he af-
 "firmed) with the Queen's own hand;—and Bu-
 "chanan's book, intituled the Detection, he delivered
 "to them to read; which found small credit with
 "the greatest part of the commissioners, he being
 "a man partial on that side, and of mercenary cre-
 "dit †." This infamous work must have been
 also presented to Elizabeth at the same time, as to
 Elizabeth it is formally addressed. Accordingly a
 publication, still nearer to the time than Camden's;
 and made by Cecil himself, informs us; that the
 Detection was written by Buchanan, "not as of
 "hymselfe, nor in hys owne name, but *according to*
 "*the instructions to hym given, by common conference of*
 "*the lordes of the privie counsel of Scotland*; by hym
 "onely for hys learning penned, but *by them the*
 "*mater ministred*;" and that it was "overseen, and

* Anderfon, ii. 1, and Jebb, i. 237.
 † 17, and Orig. 144.

† Annals, Transf.

“ *allowed, and exhibited by them, as mater that thay
 “ have offered, and do continue in offering, to stand
 “ to and justifie, before OUR SOVERAIGNE LADIE,
 “ or her Highnesses commissioners in that behalfe
 “ appointed; and what profe they have made of it
 “ already, when they were here for that purpose,—
 “ all good subjectes may easely gather by our said
 “ SOVERAIGNE LADYES procedyng sins*.” And
 Mr. Goodall speaks of “ a written copy—, which
 “ is thought to be the very copy that Buchanan
 “ presented to Queen Elizabeth;” and out of which
 he cites a passage, though he does not tell us where
 he saw it †.*

Thus were Lesley’s Defence, and Buchanan’s
 Detection, the *manifestoes* of their respective parties.
 The former was written in November and De-
 cember 1568; and the latter about August before,
at the same time with the sonnets and the contracts.
 The former received some additions afterward; and
 so mentioned the death of Paris, which happened in
 August 1569. The latter equally received some
 additions; and noticed the murder of Murray,
 which was perpetrated in January 1570. And, if
 the copy mentioned by Mr. Goodall be the very
 copy presented to Elizabeth, it can have no allu-
 sion to this murder in it.

A dispute has arisen, whether Buchanan ever re-
 pented of writing this work against Mary. The

* Goodall, ii. 377.

† Ibid. i. 327. I naturally sup-
 posed it to have been seen by him in the advocates library at
 Edinborough. But, on enquiry from Mr. Tytler, I find he
 himself knows not of it. And yet I still think, that the MS. is
 there.

point however, in my opinion, is not to be disputed. He plainly, I think, repented. But he did not do so to any vigorous effect, till the very last days of his life. Only a month before his death, he published his History; there repeated most of his impudent slanders upon Mary again; and added to them many hundreds more, upon her and others*. So long did he persist in that dreadful course of abusiveness, which he had commenced in his Detection! But he repented very strongly afterwards. His "atheism" and his "lewdness" impelled him steadily on, in spite of incidental fits of repentance; while health admitted spirits, and life averted vengeance. But, when age and sickness came, his wretched supports failed him. The poor gratifications of the body shrunk up into nothing in their influence, before the advances of age. And the flimsy suggestions of scepticism, the loose and wild reveries, that are ever hovering about the head of systematic profligacy, and are indeed the necessary preservatives of the guilty mind from despair; all are swept away before the hand of death, as the cobwebs of the morning before the rising storm. In a period of universal religiousness, the mind of Buchanan must have been too strongly impregnated with the hopes and fears of Christianity, not to feel them bursting out with increased energy upon his spirits, at the approach of death. He awakened at once from the delirium of profligacy, to the mournful realities of

* Goodall, i. 134.

his situation. He was now at that awful period of his existence, at which probation was to terminate, and remuneration to begin. His enormities of slander against Mary, rose with a peculiar dreadful-ness before his soul. He lamented them openly and vigorously! He wished for longer life to recall them. And he expressed his willingness even to shed his blood, if God would allow him time, in atonement for the wrongs which he had done her.

All this is substantially related to us by his contemporary Camden, a man of the first character for veracity, and a writer of the first rank for information. Buchanan, he says in his Annals, "*sighing*" and *sorrowing* [ingemiscens], *sundry times* [subinde] blamed himself (as I have heard), BEFORE THE KING, to whom he was school-master, for that he had *employed his pen so virulently against that well-deserving Queen:*" and UPON HIS DEATH-BED" [at his death, moriens] "*wished he might live so long, till, by recalling the truth, he might, even with his blood, wipe away those aspersions, which he had by his bad tongue unjustly cast upon her; but that (as he said) it would now be in vain, since he might seem to dote for age *.*" Camden indeed mentions this awful anecdote, with a seeming limitation of the reader's faith, by his referring to verbal information for the truth. Yet this is only a seeming limitation. It respects only that repentance of Buchanan, which was professed to the

* Annals, Transl. 88, Orig. 110.

King in the hour of health, and came antecedent to the repentance of his dying moments. His sorrow *then* wanted the invigorating presence of death, to make it strong and powerful. He “sighed” to the King. He “sorrowed” before him. . . . He did both “fundry times.” Yet he still went on in bold and impudent fictions of slander. He wrote and he published his History. But, when he saw the hand of death upon him; and eternity stood before him, arrayed in all its flames, and armed with all its scorpions; he felt his former sorrows returning upon him more violent from their obstruction before, and he found himself overwhelmed with his own remorse.

Nor can any doubt be entertained, even of those “compunctious visitings of nature,” which were so ineffectual in themselves, and which are founded upon oral authority by Camden. Camden, who could best judge, believed them to be true; or he would not have reported them. “I have myself,” he says in his prefatory address to the reader, “seen
“and observed many things, and *received others*
“*from credible persons* that have been before me,
“men who have been present at the transacting of
“matters, and such as have been addicted to the
“parties on both sides in this contrariety of religion; all which I have in the balance of mine own
“judgment (such as it is) weighed and examined,
“lest I should at any time, through a beguiling
“credulity, incline to that which is false*.” And

* Preface.

C c 4

Camden

Camden received his account of Buchanan's earlier touches of remorse, mediately or immediately, from King James himself. James, a few years after his elevation to the throne of the whole island, appears very naturally solicitous for the rescue of his mother's character, from the forged slanders of her rebels. He particularly employed Isaac Casaubon in 1611 to write to Thuanus, on the falsehoods in his History, which Thuanus had adopted from Buchanan. Casaubon's letter is still preserved. "Iniquissimo," he says, "fert animo Rex, alioquin æquissimus, te in opere contexendo a certis hominibus deceptum, et extra veri regionem longè abductum, de gloriosissimi nominis Regina, semper venerandâ sibi parente, ea persæpè in literas retulisse,—*quæ scit ejus Majestas, et scit certissime, falsa esse.*"—"Solet serenissimus Rex," he adds, "—de immanitate temporum, et rerum omnium confusione, *multa narrare et mira.*"—"Visum est Regi piissimò faciendum," he tells him, "ut accuratam, certam, et verissimam historiam rerum illarum curâret componendam, et ad te mittendam." This was to be drawn up by Sir Robert Cotton. Sir Robert was even then drawing it up. "Rex ipse," as Casaubon subjoins, "*quo nemo est bodie callentior istarum rerum, singula recenset, atque ad exactissimam veritatis trutinam exigit.*" The whole was completed soon afterwards. And Thuanus, in a letter to Camden himself two years afterward, acknowledges to have received Sir Robert's "Memoirs," which had been sent him by the

King's order in two successive packets, and carried down the history to 1582*. These Memoirs, *whatever is become of them now*, Camden perused, no doubt, among those other papers in Sir Robert's library, to which, and to the personal informations of the owner, he pays so strong a compliment as to say; that, if the reader finds either profit or delight in his Annals, he must ascribe it to these communications†. From these Memoirs, or rather from these reported conversations of the King to Sir Robert and others, he certainly derived his intelligence, concerning Buchanan's expressed contrition to the King himself. And the asserted fact stands firm, upon the credit of Camden the reporter, and upon the authority of King James the relater.

But the other part of the narrative, the account of Buchanan's dying penitence, stands even more firm. It is given by Camden, without any reference to information at all. It appears, therefore, without the slightest shade of doubt about it. Buchanan, he says, "upon his death-bed" [at his death, moriens] "wished he might live so long, till, by recalling the truth, he might, even with his blood, wipe away those aspersions, which he had by his bad tongue unjustly cast upon Mary." And he accordingly repeats in another place the substance of what he has here said, and equally without any restrictions of reference. Buchanan, he tells us under 1582, "NOW WITH SORROW REPENTED" [the words of the original are much

* Ruddiman's preface to Buchanan, xii, and xiii.

† Camden's preface.

stronger,

stronger, DOLENTER INGEMUIT, when the word before was only *ingemiscens*, the deep sorrow of the dying moments being expressively raised above the lighter sorrow of the hour of health], "that he " had formerly maintained the cause of factious " people against their princes; and SOON AFTER " DIED," paulò post obiit *.

All these passages unite to form an account, too clear to be darkened by the doubts that have been raised against it, and too pointed to be blunted by the opposition which has been made to it. Whatever the friends and the enemies of Buchanan, have strangely conspired to insinuate against it †; whatever Thuanus or his anonymous enlarger, particularly, have asserted directly to the contrary of it ‡; the early and the final repentance of Buchanan is too powerfully attested, to be questioned. The authority of Thuanus himself is no ways equal to Camden's, for an incident in our island history. The authority of an anonymous writer, cannot carry the weight of a straw against him. The account also given by Thuanus or his anonymous continuer, *obviously confutes itself*; by making Buchanan allude to *what happened after his death*, and *anticipate the proscription of his works by parliament*. "Ubi exspiraverit," says the forged speech of this great forger, "in Regis potestate futurum, ut de " *scriptis illius pro arbitrio statueret*; tantum, *quid de " eâ re acturus esset*, pro prudentiâ suâ antè maturé

* Transf. 275, Orig. 332. † Goodall, i. 134, Stuart, ii. 177, Jebb, i. preface, and Buchanani Vita, Ruddiman, xi.

‡ Jebb, i. preface.

"consuleret,"

* confuleret," &c.* This is so pointed a reference to what happened above NINETEEN MONTHS after he was dead †, as betrays the forgery of the whole at once.

The Annals of Camden, therefore, stand unopposed. They were, before, decisive vouchers of the truth. But they are doubly decisive now. And Buchanan appears, as every good man would wish him to appear, *at last* stunned effectually into sobriety by the stroke of death, *at last* roused effectually into remorse by the terrors of judgment, and, with his dying tongue, proclaiming loudly the falsehood and forgery of his calumnies against Mary.

N° XIII.

CONCERNING CRAWFORD'S MEMOIRS.

THIS very valuable work has been repeatedly used by me, in the body of the Vindication preceding. It is replete with useful and pointed intelligence. But it has been published in such a manner, as throws a shade of suspectability over it. And to notice the circumstance, I think an act of justice to the history and the reader.

These Memoirs begin at the birth of King James in 1566, and end at the death of Morton in

* Jebb, i. preface. † Buchanan died September 28, 1582, and the law alluded to was passed in May 1584.

1158. But the author of them lived long after the year of their termination. He expressly mentions 1585, in one part of his work *. And, in another, he hints at the nomination of Sir Robert Melvill to the office of vice-treasurer of Scotland †; which happened in 1589. The work however was drawn up at the time. "He had not," says the publisher, "fully digested his matter into form and method, having marked down things (as it seems) just when they happened, or when they came first within the reach of his knowledge ‡." But he had corrected the MS. from time to time afterwards. This is plain, from the references to years beyond the period of his history. And it is equally plain, from some incidental allusions in the course of it; twelve thousand pounds being said to be "a round sum in those days §;" Morton's arms being also said to be put up on the castle of Edinburgh in 1574, "which," adds the writer, "I presume remain entire to this hour, and may be yet seen by the curious ||;" and King James being equally said, "though then scarce twelve years old," to have "offered his own opinion with that calmness and that cunning, which appeared inseparable from him in all the actions of his life ¶."

"As for the author's fortunes or particular character," the publisher tells us, "I am wholly in the dark: however, thus much may be easily gathered from his works, that he was a man of sense,

* P. 351.

† Pref. xxxvii.

‡ Ibid. xxxix.

§ P. 182.

|| P. 313.

¶ P. 328.

“ and one that made not a very mean figure in the
“ world; as appears by the justness and solidity of his
“ reflections, and his more exact and particular ac-
“ count of the various transactions and turns of
“ state in his time, than is to be met with from any
“ one author upon the same subject *.” But let us
not rest our curiosity here. Let us try to push it to
something like a particular conclusion. Let us en-
deavour to ascertain with some degree of probabi-
lity, who the person is to whom we are indebted
for so much information. And he was, I think,
Sir John Gordon of Lochinvar in Galloway, an-
cestor to Lord Viscount Kenmure. In 1555 Sir
John was appointed by Queen Mary justiciary to
the stewartry of Galloway, was married to a daugh-
ter of Lord Herries in 1563, and was one of the
jury at the trial of Bothwell in 1567 †. Sir John
was also one of Mary’s friends, at the battle of
Langside in May 1568 ‡; and the author appears
accordingly to be of Mary’s party. Sir John was
equally one of Mary’s commissioners, at the con-
ferences in England §; and therefore the author is
so particular in his accounts of those conferences ||.
Sir John was related to the noble house of Gordon
by descent ¶, and united to the head of it by inti-
macies **; and therefore the author is so knowing,
concerning the transactions of the Gordons in the

* Pref. xxxvi.—xxxvii.

† Douglas’s Peerage, 369—

370, and Memoirs, 17.

‡ Keith, 476.

§ Goodall,

ii. 109.

|| P. 91—120.

¶ Peerage, 366—367.

** Memoirs, 311.

north*. And, as Sir John lived on even to 1604†, the author might well allude to the years 1585 and 1589 particularly; and even throw out some hints, as if he was correcting his history at a period, considerably posterior to that which he was describing in it.

But how came the work itself into the hands of the publisher, Mr. David Crawford of Drumsoy, historiographer to Queen Anne? He had it, as he tell us himself, in "an antient MS. presented him by his very good friend, Sir James Baird of Saughtone-hall, who purchased it, by mere accident, from the necessitous widow of an episcopal clergyman ‡." The original MS., then, was either lent or given by the author's family, to some person out of it; was in the possession of an episcopal clergyman, at that violent period of the Scottish history, when King William tore down the hierarchy in Scotland, which he was obliged to support in England; was sold afterwards by this clergyman's widow, amidst the distresses in which William had involved her and her late husband, to Sir James Baird; and was finally presented by him to the publisher. And thus it came at last to the point, for which probably it had passed at first out of the family of the author; and was published in 1706.

But Mr. Crawford acted very injudiciously in the publication. Instead of giving us the work just as it stood in the MS., he set himself, forsooth!

* P. 77, 238—240, 256—260, and 294.

† Peerage,

370.

‡ Pref. xxxvi.

to refine the language, and to improve the method, of it. "If I had delivered things in the author's own style," he says, "it would have proved tedious and heavy to the nice reader; and, by many in our neighbouring nation, could hardly have been understood without a dictionary*." He should therefore have added a glossary to the whole; or else have explained every old word as it occurred, by a note upon the margin. But he fantastically chose to new-form the language, in order to save the "nice" reader from an absurd disgust. And he did even more. "I must acquaint my reader too," he says, "that the author had not fully digested his matter into form and method." And, "as to the method and stile in which he now appears," he modestly apologizes for both as his own†. But he has done even more than all this. He has *added* to the whole. He has *subtracted* from the whole. He has made bold and daring alterations in it.

He speaks indeed thus of his own conduct. "I declare solemnly," he says, "I have not (that I know of) wrested any of his words, to add to one man's credit, or impair the honesty of another; and—I have—kept as close as possible to his meaning and sense‡." That he *intended* to do this, we are bound to believe upon the authority of his own assurance. But that he did *not* do it, is too plain to be doubted. That he has changed the *form* of the whole in method and in stile, he ac-

* Pref. xxxviii.

† Pref. xxxix.

‡ Pref. xxxviii.

knowledges himself. "I had all the *substance* of "these sheets," he says, "from an antient MS." &c. * And "my readers will be pleased to know," says Keith, "that as often as I shall have occasion "to quote these Memoirs, I take my quotations from a MS. copy, *which was taken from the* "very MS. made use of by Mr. Crawford, before "he caused it to be printed: there are CONSIDER- "ABLE VARIATIONS betwixt the manuscript and "the print †."

This assertion is too true. There are considerable variations betwixt the print and the MS. Some of these it is requisite to specify, for the fuller illustration of the point. And I shall specify them at some length, to illustrate the point more fully.

The MS. said concerning Bothwell's trial, that the jury "acquitted him from all suspicion of *ac-* "cession to the murder of the King, because it "was neither proved by witnesses, nor notified to "be probable accusation ‡." And the print says, "that Bothwell was unanimously acquitted by a "very honourable jury, of all suspicion as well as "action of murder, not so much as one probable "circumstance being adduced against him §." Here the alterations in the turn as well as terms of the language, are merely wanton at the best. But they are more than wanton. Two circumstances are thrown in, concerning the *unanimity* and the *honourableness* of the jury. One is omitted concerning the *want of witnesses*. And the original

* Pref. xxxvi.

† P. 330.

‡ Keith, 377.

§ Memoirs, 17.

sense of the last clause, is *overdone* in the present language of it.

The author also said, that Mary promised immediately before the battle of Langside, "if any man should slay any Earl of the adversaries, he should have a forty-pound land; for the slaughter of a Lord, a twenty-pound land; and for slaughter of a Baron, a ten-pound land *." But the *last* clause is totally omitted by the publisher. With him Mary is "promising to each of them who killed an Earl in the field, a forty-pound land; and for the *head* of a Lord, twenty †."

"In this month," says the *copy*, "landed Monsieur de Villeroy, ambassador from France; who being barred access to the captive Queen, returned suddenly home again ‡." "In that month," says the *original*, "came an ambassador from France, called Monsr. de Villeroy, to know the estate of Queen and country, with letters patent to her Majesty, in case she were at liberty; otherwise not to divulgate them, but to dispose of them as he list: and because he found such a troubled estate without the majesty of a Prince, he departed the country patiently through England §." Here the copy is merely a miniature of the original. We have a similar instance in another place. "Their sovereign," the copy tells us, "had yet many and powerful friends, and a just cause; amongst these the Hamiltons stood firm

* Keith, 400.

† Memoirs, 33.

‡ Ibid. 42.

§ Keith, 411.

“for her; but Argyle suffered himself to be so long
 “tampered with by the Earl of Glencairn, that he
 “almost forgot his loyalty*.” But “the Lords,”
 says the original, “finding their faction not so
 “strong as their need required, having potent ene-
 “mies against them, of which number the Earl of
 “Argyle was one; they thought expedient to send
 “the Earl of Glencairn, either to persuade him di-
 “rectly to be of their faction, or else that he
 “should so abstain as not to be their enemy: where-
 “by he grew so corrupted, that altho’ he shewed
 “himself in outward behaviour a good subject
 “to the Queen, yet in effect shewed himself her
 “enemy, as by consequent shall be sufficiently
 “proven †.” But, here, the contraction of the whole
 is not the only circumstance remarkable in the pas-
 sage. We see evident interpolations in it. The
 justness of Mary’s cause, and the adherence of the
 Hamiltons to her, are both interpolated.

The King, as the writer *really* informs us con-
 cerning the murder of Rizzio, “introduced Patrick
 “Lord Ruthven with his eldest son, and some other
 “conspirators, through his own chamber, upon the
 “9th day of March 1565; and there, without
 “either [any] reverence had to her Majesty, not only
 “injured her with words as she then sat at supper,
 “but also laid violent hands on her Italian secretary,
 “and haled him unmercifully to another chamber,
 “and there murdered him to death †.” The King,

* Memoirs, 43.

† Keith, 465.

‡ Ibid. 330.

as the author is *made* to inform us, “went before
“into the Queen’s closet, who was at supper, and
“the Countess of Argyle with her—; and in a
“few minutes thereafter—Ruthven, Dowglas, and
“others, compleatly armed, rushed in at the same
“door*,” &c. This is so different from that, as to
astonish me. And since this is only a part of a
regular story, while that is the whole substance of
it; I rather suppose that to be some anticipation of
the whole in the original, which has been entirely
suppressed in the copy.

Bothwell, says the *true* author, seized the Queen,
“and conveyed her by force, as appeared, to the
“castle of Dunbar, to the end he might enjoy her
“as his lawful spouse—. The friendly love was
“so highly contracted betwixt this great Princess
“and her enormous subject, that there was no end
“thereof (for it was constantly esteemed by all
“men, that either of them loved other carnally):
“so that she suffered patiently to be led where the
“lover list, and all the way neither made obstacle,
“impediment, clamour, or resistance, as in such
“accidents use to be, or that she might have done
“by her princely authority; being accompanied
“with the noble Earl of Huntly, and secretary
“Maitland of Lethington†.” This extraordinary
burst of weakness in an author generally judicious,
I have sufficiently answered in the work before. It
proceeds upon a supposition, pointedly ridiculous in

* Memoirs, 9—10.

† Keith, 383.

itself; that a prince, however overpowered by superior force, should yet struggle against it, or else must be considered as consenting to it. Thus, because the first Charles did not act so un-heroically, as the little souls of his murderers expected him to act; because he did not deign to engage in a personal contest upon the scaffold, with the two ruffians in masques there; and because he spoke and acted with all the composed dignity of a sovereign, in the moments of his murder; he must be concluded to have been accessary to his own death. And when Mary was carried away by violence to Lochleven, unless we can show her to have made "resistance, clamour, impediment, or obstacle," to the deed of carrying her away; we must esteem her to have been in a conspiracy with her own rebels, for her own imprisonment. For these reasons perhaps, the *false* author has softened the folly of the passage, and left us scarcely a stroke of the credulous original. Bothwell, he tells us, "marched to Almond-bridge, "and there, without any manner of resistance, suddenly surprized the unwary Queen,—and conveyed her, with the Earl of Huntly and Lethington (then in company with her), prisoners to the castle of Dunbar*." The falsification of this passage, certainly carries a very strange appearance with it. It is discreditable to the publisher. It is injurious to the publication.

But it did not proceed from any design, of falsifying history in *favour* of Mary. We have another

* Memoirs, 19—25.

instance immediately, in which we have the same sort of falsification *for* Mary, opposed by a third *against* her.

Bothwell and the Queen, as Crawford *should* have said, “ had scarcely remained be the space of ten
“ days in the castle of Dunbar, and no great distance being between the Queen’s chamber and
“ Bothwell’s, when they thought it expedient to
“ come to Edinburgh castle; and by the way the
“ Queen behaved herself to the people, as that
“ Bothwell was ready to put her at liberty again,
“ according to the duty of an obedient subject.
“ But, at the entry of the tower that leads to the
“ castle, he made semblance to lead her bridle;
“ and sensible people interpreted the same, as that
“ he conveyed her Majesty as a captive into the
“ castle, where a subject of his was, called Sir James
“ Balfour*.” Bothwell, as Crawford *does* say,
“ having thus far gained his point, by having obtained her consent,—brought her with a very small
“ guard to Edinburgh:—thus he marched, till he
“ came to a narrow pass as he entered the city;
“ where, fearing to be surprized by the inhabitants,
“ he suddenly took hold of her horse’s bridle, and
“ carried her to the castle, of which Sir James Balfour (a creature of his own) was then governor†.” Here he has suppressed all notice, of the “ no great distance between the Queen’s chamber and Bothwell’s,” of the Queen’s “ behaving herself to the people as that Bothwell was ready

* Keith, 383—384.

† Memoirs, 22.

"to put her at liberty again," of his "making
 "semblance to lead her bridle," and of "sensible
 "people interpreting the same, as that he conveyed
 "her Majestie as a captive into the castle." But
 then some of these circumstances are as favourable
 to Mary, as others are un-favourable to her. And
 the principle which produced both, was merely that
 impertinence of officiousness, which appears in other
 parts of this passage; which has changed "the entry
 "of the tower that leads to the castle," into "a
 "narrow pass as he entered the city;" and has sug-
 gested the ridiculous reason for seizing the Queen's
 bridle, that he "feared to be surprized by the in-
 "habitants."

But we see the same principle operating purely
 and entirely to the *dis*-favour of Mary, in another
 passage. *Originally* the work gave for the "chiefs
 "of the faction, Morton, Mar; Lords Hume,
 "Sempil, and Lindsay; Barons Tillibardine and
 "Grange; and Secretary Lethington: these dislik-
 "ing the Queen's marriage, and being out of coun-
 "tenance before, dealt secretly with others to make
 "a faction, pretending thereby to set the Queen
 "to liberty, and put Bothwell to a trial for the
 "suspected murder; altho' their intention was
 "rather to seek their own liberty by uprore and
 "rebellion, as in its own place you shall hear*." *Now*
 the work reckons up as "ringleaders in this
 "rebellion, all of them Murray's faithful friends,—
 "James Earl of Mortone, the Earls of Marr and

* Keith, 394.

" Glencairn,

"Glencairn, Secretary Lethingtone, the Lords
"Sempill, Sanquhar, and Lindsey, with the Ba-
"rons of Drumlanerig, Tullibarden, and Grange*."

It drops all that pointed account of the faction,
which dissects the hearts of their chiefs so compleatly,
and shews us the grand *fomes peccati* within them
so plainly. And, as it omits Hume from negli-
gence, it adds Glencairn, Sanquhar, and Drumlan-
rig from officiousness; and subjoins to all, that
they were all of them faithful friends to Mur-
ray.

To these I might annex many other instances.
But these are sufficient to shew the wild liberties,
which Crawford has taken with the MS. in printing
it. Yet, to wind up the whole compleatly, I shall
just mention three very striking instances more,
and all three different from each other, and from
all the preceding. In his preface he expressly re-
fers to a passage in the Memoirs, which speaks of
Sir Robert Melvill as "now made treasurer de-
"pute in Scotland;" and yet most amazingly omits
it in his copy†. Speaking also of some merchants
being seized and imprisoned by Morton, "they had
"no *Habeas Corpus*," he says, "to regain their
"freedom; and, to make up that defect in our
"constitution, were forced to purchase the free air
"at a very dear rate‡." This interpolation be-
trays itself, by its broad glare, to every eye. But
Mr. Crawford takes a bolder step than this, in inter-

* Memoirs, 31.
Memoirs, 70—71.

† Pref. xxvii, Keith, 483, and
‡ Memoirs, 312.

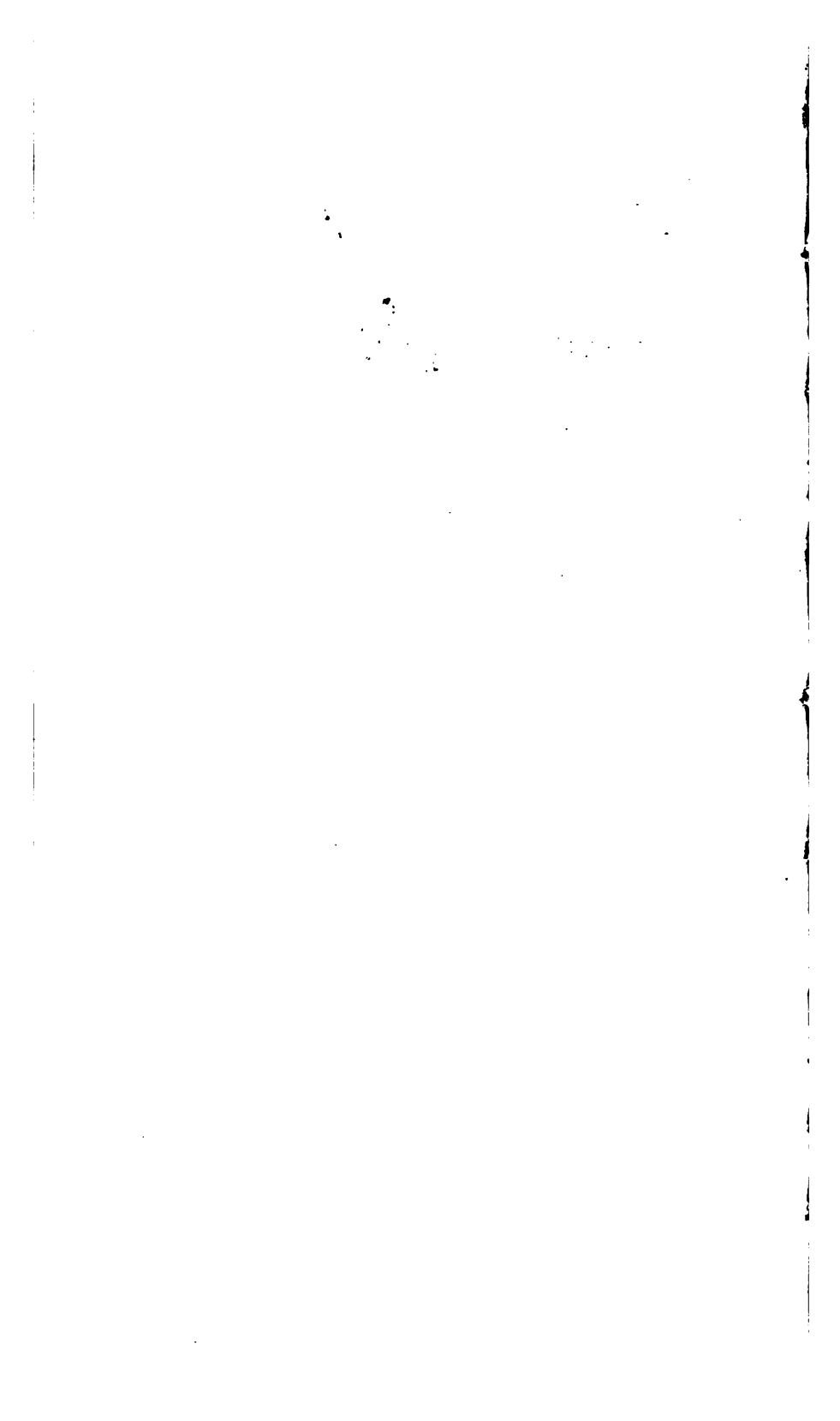
potation; engrafting a formal bond of association, actually made by the royalists, upon the original stock of the Memoirs; and coolly giving it as a part of the MS.* And thus, in the rash dexterity of a cockcomb, he appears to have corrected a language, that was equal to his own; to have reformed a method, which was better than his own; and, under pretence of doing both, to have luxuriated in alterations, to have suppressed notices, to have inserted circumstances, and to have unwittingly encroached upon the very confines of imposition and forgery.

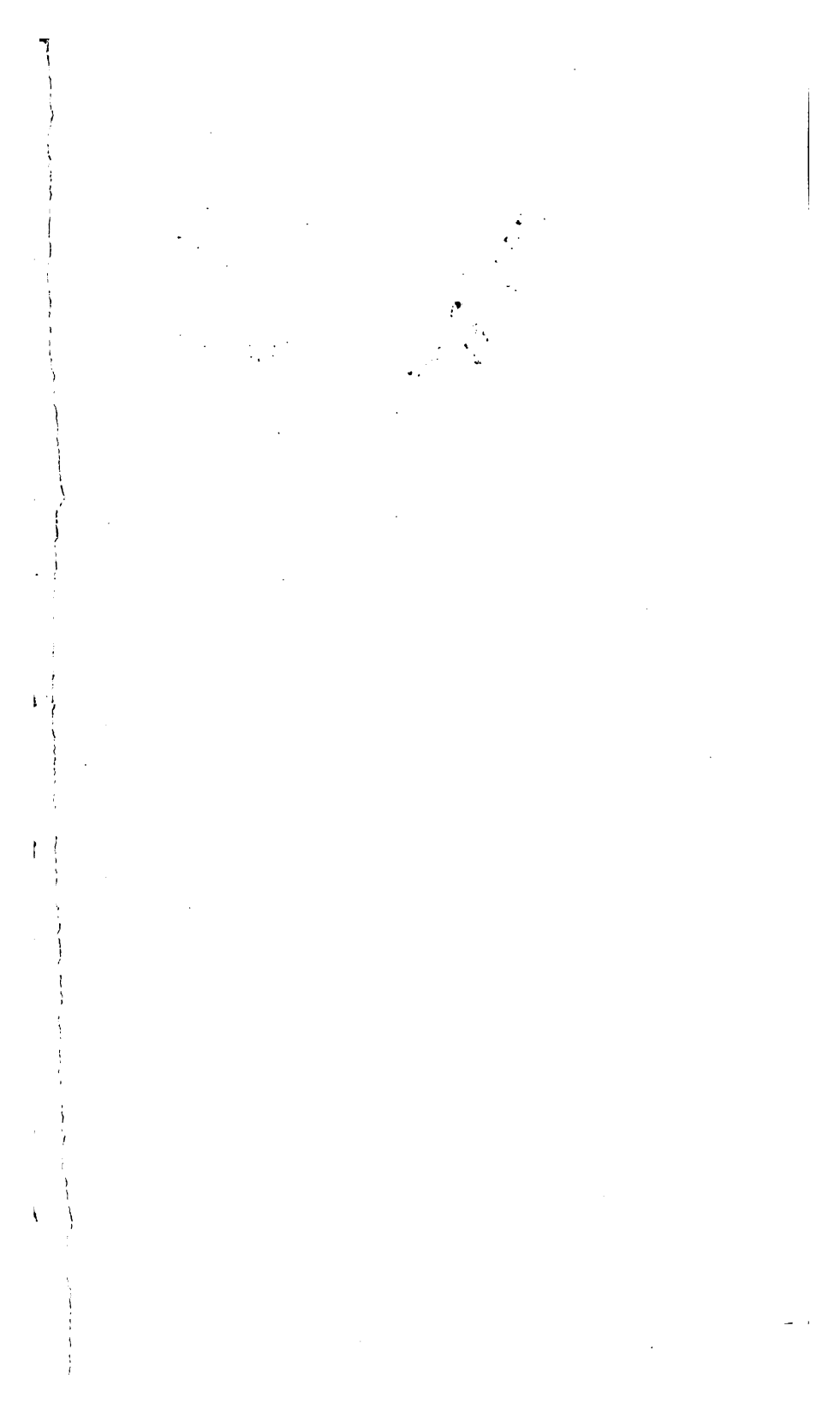
All serves to hurt the reputation of these Memoirs. Amidst so many evidences of corruption, we hardly know where to find the text in its original integrity. Our references to it at present therefore, except where we have the original preserved by Keith, must be made with a dubiousness of confidence. And I notice the necessity for this, in order to be faithful to the truth; and in hopes of inducing some gentleman of Edinborough, to procure either Crawford's MS. or Keith's copy of it, and to give it un-sophisticated to the world.

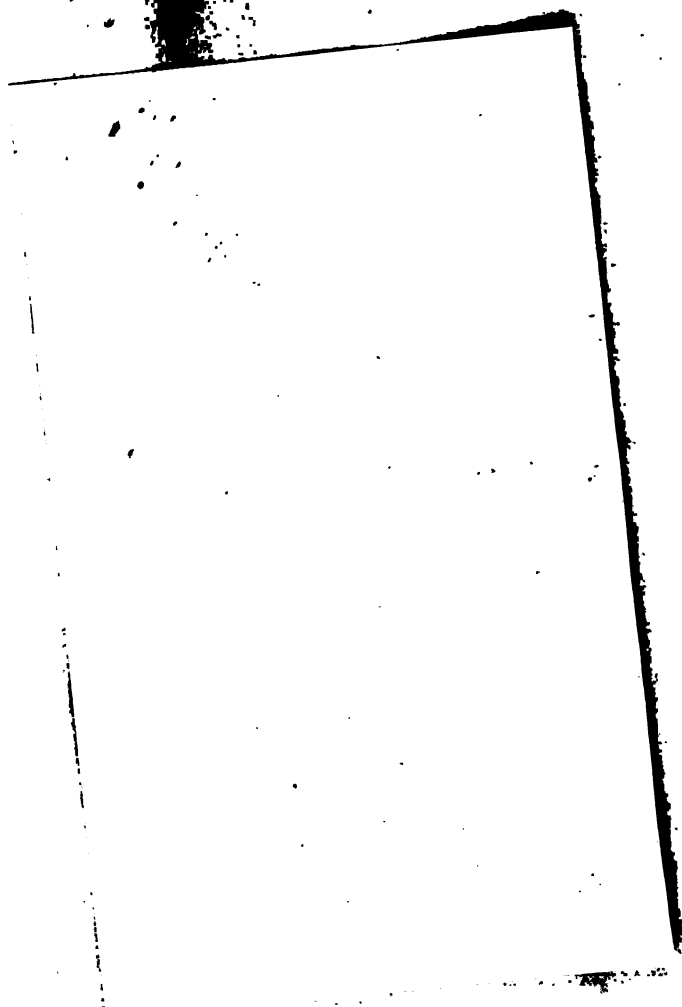
* Keith, 436, and Memoirs, 60—61.

F I N I S.









B'D DEC 24 1917

